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TABLE OF CONTENTS

Vol. 13, No. 2

April, 1930

	Page
A Duel in the Dark in New Orleans on March 14, 1747, <i>By Henry P. Dart</i>	199
Documents in the Case, <i>Translated by Heloise H. Cruzat</i>	202
Early Census Tables of Louisiana, <i>Translated by Jay K. Ditchy</i>	205
Marine Survey of Schooner Charlotte and Sale of Said Vessel at Auction, November 24, 1777, <i>Translated by Laura L. Porteous</i>	230
Mississippi in the Transfer of the Louisiana Purchase by France to the United States, <i>By Dunbar Rowland, LL.D.</i>	235
The Funeral Ceremony of Napoleon in New Orleans, Decem- ber 19, 1821, <i>By A. E. Fossier, A.M., M.D.</i>	246
Louisiana's Dreamy Bayous, <i>By Evelyn Soulé</i>	253
Louisiana Politics, 1845-1861—Fourth Installment, <i>By James Kimmins Greer, B.A., M.A.</i>	257
Editor's Chair—Fisher's "The Intendant System in Span- ish America," <i>By Henry P. Dart</i>	304
Records of the Superior Council of Louisiana, XLVI, <i>By Heloise H. Cruzat</i>	307
Index to the Spanish Judicial Records of Louisiana, XXVIII, <i>By Laura L. Porteous</i>	333

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A DUEL IN THE DARK IN NEW ORLEANS ON MARCH 14, 1747

By HENRY P. DART

I.

WE have found in the Archives of the Superior Council of Louisiana a very curious account of an assault committed in New Orleans on the night of March 14, 1747, against Sebastian Francois Ange Le Normant, the Commissaire Ordonnateur of Louisiana and coadjutor of Pierre Rigaud Marquis de Vaudreuil, Governor of Louisiana. There was a distinct division of powers between the Governor and the Ordonnateur and the latter official was vested with sufficient authority to act as a check on the Governor. Indeed, this was the theory of all local government in French colonial times in Louisiana. Le Normant was therefore a personage of some consequence, although he was a "new" man in the sense that he came to the Colony only in 1744 to replace Salmon who had served as Ordonnateur for many years. He was inducted into office at a meeting of the Superior Council October 24, 1744.¹

The document printed herewith is a proces-verbal of the assault prepared by LeNormant and it is a very perfect specimen of penmanship and expression and Mrs. Cruzat's translation preserves very admirably the spirit of the document. It appears that Le Normant spent the day of March 14, 1747, at the Governor's House "working on the affairs of the Colony." He had stayed late and supped there and about nine o'clock left for home accompanied by his manservant Cesare. They made their exit from the grounds by way of the horseshoe walk in front of the House

¹See "A Session of the Superior Council," Louisiana Historical Quarterly, Vol. VI, p. 571 (October, 1923). I take this opportunity to correct a statement made in that paper concerning the spelling of this official's name. It is definitely settled that it was spelled as set forth in the present paper.

(which faced the River at the corner of Toulouse Street) and they picked their way carefully through the dark unlighted highway until they reached the corner of Le Bretton's house when suddenly out of the gloom appeared

"a man dressed in red wearing a wig and his hat drawn low over the eyes, who barred the road at a distance of about seven or eight paces."

and without naming himself or addressing the Ordonnateur, advanced upon him sword in hand. His malignant purpose was evident and Le Normant drew his own weapon and there in the tense darkness and silence of this March night in 1747, the combatants engaged with thrust and parry in a silent duel, with Le Normant constantly giving way, slowly retreating toward the Government House where a sentinel was posted. At this moment he detached Cesare to give the alarm to the sentinel and the duel continued until they reached a cross ditch which Le Normant attempted to jump, still fronting his assailant. His foot slipped and he fell—at the mercy of his foe, but at that crisis there came pouring out of the Government House a band of rescuers and the man in red fled up "the street adjacent to the house" and was swallowed in the darkness.

It is a very pretty story full of all that glamor and romance that has constituted the stock in trade of so many writers on Ancient Louisiana. It is very fortunate for the next romancer that after the manner of those times, Le Normant preserved "a real true story," for the next morning at seven o'clock, he wrote an account of the incident with his own hand, the hand that had so valiantly wielded the sword in the darkness of the night before, and at eight o'clock he filed this precious proces-verbal in the Registry of the Superior Council in order that the record of this "premeditated assault against our person" might be preserved "to serve as need may be." It was indeed, a grievous offence, for LeNormant combined in his sacred "person" all the dignity of government and was besides the sole judge at the head of the Judicial System—"First Councillor in the Superior Council of the Colony." It was not only proper to report the assault, but it was his duty to record in the archives, the battle in the dark in which the Law as evidenced by the Presiding Judge had suffered in its dignity and had literally been sent sprawling into the wet ditch near the House in which by day the maltreated judge

dispensed justice between the good and the bad and particularly the latter, who trembled before this mighty symbol of Justice in the Colony.

In the course of the affair and before the rescue, it appeared to the retreating judge that his opponent was *Sieur Taillefer*, a Cadet officer of the garrison in New Orleans, and others were found later who were equally sure of his identity, including slaves and common people roused by the noise of the hue and cry that succeeded the flight of the man armed with an aggressive sword, but the villain alas, had dressed himself in red, wore a wig and had his hat drawn low over his face, and he seemed to have been so thoroughly disguised in this romantic garb, that the whole police force of New Orleans, civil and military, were not able to follow up the assault with a prosecution based on the *proces-verbal* of the Judge. It was quite a successful affair on the part of the Cadet and justice never overtook him, unless indeed, the records of the Superior Council have been dislocated by his descendants, for the Superior Council held many long and important sessions during the winter and spring of 1747 and the name of the *Sieur Taillefer* is not included therein. We owe, however, a debt to the Judge for the candor and skill with which he described this intemperate effort to muzzle his independence, whether the assault resulted from an act of authority in his other functions, or was intended as an appeal from some ruling of the Judge which had disturbed the equanimity of the Cadet of the garrison, and urged his resort to his lively sword. That appeal had at least overthrown the person, if it did not succeed in reversing the decision of the Judge.

We cannot close this foreword without adding that this small document has excited the liveliest interest in *Mrs. H. H. Cruzat*, the accomplished translator of the *proces-verbal*, for up to 1747 no such incident had appeared in our archives. She had hoped it would be the prelude to an interesting trial

‘for up to date we have not had a case of assault on one of the principal civil officers and a superior military officer, for *Le Normant* wore a sword which was allowed only to gentlemen in military service. I have completed the index of March and carefully examined that of April without finding any further mention of this incident.’

II.

**The documents covering the assault upon Judge Le Normant
in New Orleans on the night of March 14, 1747.**

Translated from the Proces-Verbal by
HELOISE H. CRUZAT

TRANSLATION:

(29092.)

1747.**Lenormand****Act of deposit of
the declaration.****fol. I.****4302.**

In the year one thousand seven hundred and forty-seven, on the twenty-fourth of March, at seven o'clock in the morning, we, Sebastian Francois Ange Le Normant, Commissioner General of the Marine, Ordonnateur of Louisiana, and First Councillor in the Superior Council of this Colony, having been yesterday to Mr de Vaudreuil's Governor, and having spent the day working on the affairs of this Colony, and having left there about nine o'clock at night, after having supped there, accompanied by one Caesar, my servant, we met, on turning around the horse-shoe before the Government (House) one Polydor, another of my servants, who came to ask me if I would have supper at the house and that they were awaiting me, I answered that I had supped, and that he could go to the house to tell them to sit down to the meal, and for this purpose he went ahead, I then continued my way home, still accompanied by the said Caesar, and being at the corner of Mr Le Breton's house, I perceived a man dressed in red, wearing a wig and his hat drawn low over his eyes, who barred the road at the distance of about seven or eight paces, and who came towards me with his sword in hand, after having drawn it from its scabbard which he held under his coat, without naming himself nor addressing me.

On the spot I took my sword in hand to defend myself and as he was still pushing me without making himself known, I gave way still defending myself to the end of Mr Dumanoir's house, adjacent to that of Mr Le Breton, where I told my servant Caesar, who had held himself beside me, to go to the Government (House) to warn the sentinel, from which place I was not distant, and I continued to give way to the brink of a small crosswise ditch which ends in sight of the Government House, and having tried to jump over the said ditch, my

foot slipped and I fell. From the Government (House) in the moment came Mr. Fleury de la Gorgandiere, Scrivener of the King on the ship (flute) the Chameau; Sr Olivier, Secretary of the Governor; one Rene, his servant, and Sr Tisserant Cadet sentinel, with several negroes, and thereupon my assailant escaped by the street adjacent to the Government House. It then appeared to me that he was Sr Taillefer, Cadet Officer of this garrison and to assure myself more fully of it I said to the sentinel, I am not certain I know that man and he answered me, whilst returning to his post: "I know him well."

Shortly afterwards there arrived one of those who had run after the said Taillefer, a negro, who told me that the negro named Francois, owned by Sr Dumanoir had caught up with the said Sr Taillefer and had recognized him, but had not been able to seize him, the said Taillefer having presented the point of his sword. Sr Olivier with the one named Rene also ran after the said Taillefer crying to the sentinel who was at the door of the Treasury to arrest him, but the said sentinel, being deaf, only cried to him: "Who goes there?" to which he answered: "Officer." I afterwards went to my house accompanied by Sr Fleury de la Gorgandiere where Sr Olivier came to meet me; I heard at the house that the said Taillefer had waited for me since five o'clock in the evening in the neighborhood of the place where he attacked me. That he had questioned my servant Polidor when he went and returned from the Government (House). That he had been recognized by the servants of Sr Lessar and by one of those of Mr de la Pommeraye, treasurer, who had seen him pass, that the sentinel of the Treasury had likewise recognized him; and considering that it is a formal and premeditated assault against our person we have drawn up the present procès verbal to serve as need may be.

At New Orleans the above day and year,
Lenormant.

Remitted a copy to
Mr de Benac, Major of this
City, March 27, 1747.

In the year one thousand seven hundred and forty-seven, on the twenty-eighth of March, at eight o'clock in the morning, Monsieur Le Normant, Commissioner General of the Marine, Ordonnateur in Louisiana, and First Councillor in the Superior Council of the said country, having requested us to go to the King's house where he resides, where being, in the presence of Monsieur the Procureur Général of the King and of Monsieur Raguet, Councillor in the Council, he demanded that we receive as a deposit in the Registry, the above procès

verbal and of the other parts which he affirmed and attested to be true, reserving (the right) to prosecute and investigate on what is therein contained circumstances and dependences in time and place and requesting the junction of Mons^r the Procureur of the King, of all of which he demanded that act (certificate) be given him.

At New Orleans, the aforesaid day, month and year and signed with the said Sieurs

Lenormant.

fleuriau.

Raguet.

Henry not^{ry} Greff.



✓ EARLY CENSUS TABLES OF LOUISIANA

Translated by Jay K. Ditchy

Tulane University, New Orleans

Note by Editor, Louisiana Historical Quarterly—In the year 1911 the late William Beer, then an active member of the Louisiana Historical Society, copied for the Society from the Book of "Recensements 1706-1741," the Census of Louisiana for 1706, and for 1721. This was printed in the French text (without translation) in the Publications of the Louisiana Historical Society, Vol. 5, pp. 79-103 (1911). Mr. Beer prefaced this publication with the paper here republished.

Through the kindness of Dr. Jay K. Ditchy, Professor of French, Tulane University, an accomplished French scholar, we are now able to lay before our readers a complete and perfect translation of these two reports upon the State of the Colony of Louisiana in 1706 and 1721, and as a tribute to our late colleague, William Beer, we republish his short monograph on the subject. The Census Tables on New Orleans are, however, reprinted from the text. Mr. Ditchy's work was on the details of this report.

MR. BEER'S PREFACE

AMONG the transcripts of documents relating to Louisiana from the Ministère des Colonies, Paris, made by the late M. Victor Tantet (See Publications of the Society, Vol. IV, p. 156),¹ one finds a volume of census tables from the year 1706 to the year 1741, bearing the title: "Recensements 1706-1741." Under the direction of Mr. William Beer, of the Howard Memorial Library, a table of contents of this volume has been prepared, the census of 1706 and that of 1721 have been printed, and notes upon the same appended.² Mr. Beer remarks: It has been thought interesting to print the first list (Recensements, pp. 1-8) of the population of Louisiana, at that time concentrated at Biloxi; and the census of 1721 (Ibid, pp. 20-52) of the inhabitants and concessionnaires of New Orleans and the neighborhood. The list of 1706 shows that the Colony at that time had only eighty-five inhabitants, of whom there were thirty-one men, no less than twenty being married, seven widows and unmarried women, and twenty-seven children.

The census of 1721 shows what survived of the large numbers of emigrants brought by the Mississippi Company in 1718, proving the immense waste of human life after the arrival of the colonists, the cause of which is pointed out in the interesting

¹Report by Pierce Butler, Corresponding Secretary, Louisiana Historical Society, on the Transcripts of Documents in the Ministère des Colonies, Paris, France, copied for the Society by M. Victor Tantet.

²Calendar of Documents in a Volume having on back: French Mss., Mississippi Valley, 1679-1769. (Pub. La. Hist. Sy., Vol. 4, p. 4.)

notes which follow the census tables. It was the result of the administration of the Colony being on the Gulf of Mexico instead of within the river, and the disembarkation at a point lacking all provision for feeding or medical attendance. The absence at the point of arrival of small boats in sufficient number held the emigrants until all their means had been exhausted.

It is interesting to observe the trades which are represented in this government colony. Including M. de Bienville, there are eighteen employees of the government. There are forty-eight persons of property, of whom one baker, one armourer, three carpenters, one locksmith, one harnessmaker, one turner, one house-furnisher, one tobaccomaker, one engraver, one gardener, one tailor and one pastry cook. In the service of the Company there are forty-eight names, among them being three carpenters, one blacksmith, seventeen boat captains, two shipbuilders, one teamster, two cabinetmakers, one locksmith, one edge-tool maker, one foreman over the negroes, and nine sailors, with forty-three men and thirteen women labourers.

The population was distributed among the towns and concessions as follows:

	French					
	Men	Women	Children	Servants	Slaves	Indians
New Orleans.....	147	65	38	28	73	21
Bayou St. John.....	4	3	9	...	32	8
Colapissas	1	1	2	3	9	5
Concession de Kolly.....	62	12	5	...	46	2
Concession M. le Blanc.....	7	1	...	...	...	...
Tchopitoulas	9	2	5	16	175	15
Gentilly	4	3	3	4	9	1
Cannes Brulees	2	6	1	23	28	3
Concession de M'Artaigne.....	47	8	3	...	20	...
Concession de M. leBlanc	1	5	...	7	9	...
Detour des Anglais (English Turn)	1	...	...	...	1	...
Concession de M. Coetlogon.....	...	3	...	6	...	...
Concession de M. Le Blanc.....	3	20	6	23	2	...
Concession de M. Law.....	5	11	14	40	...	...

CONTENTS OF VOLUME IN THE ARCHIVES OF THE LOUISIANA
HISTORICAL SOCIETY ENTITLED "RECENSEMENTS, 1706-1741."

(Summarized by the late William Beer and Attached to His Paper.)

- 1-2 August 1, 1706—Census of families and inhabitants which are in Louisiana.
- 3-8 May 1, 1722—Census of inhabitants of Fort. St. Jean Baptiste of Nauchitoches.
- 9-19 June 28, 1721—Census of inhabitants of Fort Louis of Mobile.
- 20-37 November 24, 1721—Census of inhabitants and concessionnaires of New Orleans and surrounding places.
- 37-52 1722—Notes
- 53-56 May 13, 1722—Census of inhabitants and concessionnaires who are established on the Mississippi River.
- 57-59 January 19, 1723—Census made in Natchez of the inhabitants and workmen of the concession of M. le Blanc.
- 60-62 February 18, 1723—Census of the inhabitants established at Sotekouy, Arkansas, formerly belonging to M. Law.
- 63-104 November 12, 1724—Census of the German Village Hoffen.
- 105-106 December 20, 1724—Census of inhabitants from New Orleans to Ouacha or the German Village.
- 164-166 March, 1725—Census of l'Ille Dauphine, Mobile and Pascagoula.
- 166-222 January 1, 1726—General Census of the Colony of Louisiana.
- 223-264 July 1, 1727—General census of the Department of New Orleans.
- 265-287 1731—General census of the inhabitants along the river.
- 282-302 January, 1732—General census of the City of New Orleans.
- 303-311 January 1, 1732—General census of the Prairie of Fort de Chartres of Illinois.
- 312-321 Condition of the inhabitants who made their submission in order to obtain negroes.
- 322-337 Condition of the inhabitants on the river below New Orleans to the German District.
- 338 Census of people who were killed in the massacre by the Natchez Indians November 1, 1729, to August 1, 1730.

CENSUS OF LOUISIANA FOR THE YEAR 1706¹

(Translated by Professor Ditchy)

Census of families and inhabitants in Louisiana according to the Census which was made August 1, 1706:

	Number of Persons
Mr. de la Salle, his wife and four children	6
Guillaume Boutin and his wife	2
Jean Roy, his wife and two children	4
Jean La Loire, his wife and one child	3
Jean Le Camp has the first male child born in Louisiana	2
Francois May, his wife and two children	4
Nicholas Lafrenier, boy	1
Francois Trudeau, his wife and one child	3
Estienne Burelle, his wife and one child	3
Mme Le Sueur, widow, who came from Canada with three girls and one boy	5
Mlle. Boisrenaud, single	1
Gabrielle Bonnet, single, her husband having deserted	1
Michel Kisbé	1
Laurenso Clostigny and one child	2

In the Pay of and Drawing Rations from the King.

LeSieur Barrau and his wife	2
Andre Renaud, his wife and one child	3
Gilbert Dardenne, his wife and one child	3
Pierre Bravard, his wife and one child	3
Pierre Allin, his wife and one child	3
Rene Boyer, armorer, his wife and one child	3
Jean Bourbonnois, his wife and one child	3
Antoine Rivarri, his wife and one child	3
Claude Trepanier, his wife and one child	3
Jean Coulomb, his wife and two children	4
Joseph Penigaud, his wife	2
Jean Sossie, his wife and two children	4
Marie Mercier, single	1
Marie Cresot, midwife	1
Marie Lignau, single	1
Jean Louis Miniuty, his wife and two children	4
Anne Perro, widow, with four children	5

Number 85

¹Note by the Editor of the Quarterly. It will be noticed that in this enumeration, the name of Bienville, Military Commander of the Colony, is omitted, nor is any mention made of other officials whose presence at Fort Louis is undoubted. Finally, the list does not disclose the officers and soldiers of the garrison. It is therefore altogether a list of inhabitants as distinguished from officers and soldiers, save for the inclusion of De la Salle himself and his family. He was Commissary of Louisiana and evidently ranked himself as a Civilian.—H. P. D.

Cattle

35 Cows including 12 Heifers

5 Bulls

6 Cart oxen of which 4 belong to the King

—
Number 46

Done at Fort Louis de la Louisianne
August 1, 1706.
Bienville De la Salle.

Returned by M. Diron.

—
CENSUS OF NATCHITOCHES, LA., FOR THE YEAR 1722.

Translated from the Text as Printed in Publications, Louisiana Historical Society, Vol. 5, pp. 83-87 (1911).

By

JAY K. DITCHY,

Professor of French, Tulane University,
New Orleans.

OF NAUCHITOCHES*

Census of the inhabitants of Fort St. Jean Baptiste of the Nauchitoches situated in the Red River District, one hundred and thirty-three leagues distant from New Orleans, according to the calculation that Sieur Diron, Inspector General of the Troops of the Province of Louisiana, made during the voyage which he has just completed there during his tour of inspection, with the number of women, children, slaves, cattle and horses in the same place:

*It will be noticed later in this report that this name is spelled *Naichitoches*. It seems improbable, therefore, that Diron, who wrote the report, would have given the name *Nauchitoches* to the title. We may safely assume that the latter is an error in the French transcription furnished to the Louisiana Historical Society from Paris in 1905. Again in the first paragraph of the report we find *Natchitoches*. This we think a printer's error that may have slipped into the copy made by Mr. Beer in 1911 printed in the original text in Publications of the Louisiana Historical Society, Vol. 5, p. 85 (1911).—Ed. La. Hist. Qy.

NAMES OF INHABITANTS	Men	Women	Children	Negro Slaves	Indian Slaves	Cattle	Horses
Monsieur de St. Denis, Com- mandant, one Frenchman in his service	2		2	5	4		33
Sr. de Redot, Lieutenant of the Company					1		
Sr. Dupuy, Ensign				4			
Sr. Clausson, retired Lieuten- ant, one German servant	1						
Sr. Derbanne, storekeeper	1		3	4	3		8
Sr. Jallot	1						1
Pierre Cotleau	1						
Pierre Fausse	1						
Ines Lion	1						
Francois Berry	1						
Francois Lemoine	1	1					
Estienne Leroy	1						
Pierre Dubois	1						
Marianne Benoist, wife of a soldier		1					
Louise Francoise Zillot idem		1					
Jeanne Longueville idem		1					
Pierre Dupuy called Goupillon	1	1					
Jeanne Grenot, wife of a soldier		1					
Marie Catherine de Poutre idem		1					
Martine Bonnet idem		1					
Antoinette Audebraud idem		1					
Pierre Marionneau	1			3			
The Widow of (deceased) Perrier	1			3			
Sr. De Champignole, sergeant				1			
The Nauchitoches Indians have about twenty to twenty-five horses here							25
Total	14	10	10	20	8	12	74

All the inhabitants comprised in the present census except Sr. Derbanne, storekeeper, and the aforesaid Jallot, are former soldiers who have been discharged and who have established themselves in this place in which the land is good, although not so good as that on the banks of the Mississippi River being thinner and more sandy, but not failing to produce as abundantly the same fruits and vegetables that one gathers on the said river such as corn, beans, tobacco, potatoes and other vegetables except rice because the ground is not damp enough. However, they have sown some this spring and count on its being successful. The same trees are found there and the same herbs as on the Mississippi which have the same properties of which Sr.

Diron spoke in the memorial which he had the honor to send to the Commissaires on the second of last January on the vessel *St. Andre*, Captain Quirgueus.

There are also a number of trees called "plaqueminiers,"⁵ which bear a fruit called "plaquemine,"⁶ which resembles somewhat the medlar of France but which is incomparably better. The Indians make a sort of flat bread of this fruit which is very astringent, they even use it to staunch the flow of blood, which it stops.

There are also found there a quantity of nut trees, the nuts of which are as good as those of France, but the almond is very hard to find. The Indians make sagamite of it, which is very good. The lands along the Mississippi produce the same trees and fruits. Peach trees and plum trees are very abundant, their fruit being as good as in France. They do not retain their free stone and there is only one species of each.

The Indians of this nation use the root of a plant which is unknown to the French to make a dye of a very good red which never loses its color and with which they dye little round baskets and mats on which they sleep and which are very fine. They make also a very beautiful black dye with another root. This nation is composed of only about a hundred men bearing arms. They are rather friendly toward the French, whom they furnish provisions a good part of the year by means of their hunting and fishing.

The Red River on which they are established is very difficult to ascend when the water is high through the quantity of small rivers, lakes and bayous which surround it, which flow into each other and which drown out all the ground which renders it impossible to ascend or descend from the Natchitoches without having Indian guides of that nation to show the way. This river abounds in fish of which there are several species. It is navigable only seven or eight months of the year and dry during the other four or five. So that it is hard to pass it with a small pirogue capable of carrying two or three men, and the garrison often lacks the aid of which it has need. Therefore, Sr. Diron, Inspector, has the honor to inform Messieurs les Commissaires, that it would be fitting if one wishes the post of the Natchitoches (sic.) which is valuable in relation to the Spanish who have one

⁵Date plums.

⁶Date Plum. It seems more likely to have been the wild persimmon, which is still found in Louisiana.—Ed. *La. Hist. Qy.*

seven leagues from there and of which we shall speak of establishing later in the place called the Great Rapid* which is a point almost half way between the beginning of the Red River and the Naichitoches (sic.) and where the river ceases to be navigable four or five months of the year.

This proposed new post would be all the more necessary since it would halt enterprises of the Chicachas Indians, our enemies, who station themselves there because they know there is no other way to pass in order that they may lie in wait for travelers and kill them. An example of this happened last April to a poor unfortunate Frenchman called Perrier who was come up from New Orleans to the Naichitoches. They attacked him in this place as he was drying his garments. They cut his head off, tore off his scalp which they carried away with them and threw his body and his head to be eaten by the birds and savage beasts. He had with him two of his daughters, one twelve years of age and the other eight, whom they carried away prisoners. He had also three Natchitoches Indians who escaped his unfortunate fate, two of whom had gone hunting when the Chicachas attacked him and the third having seen them from a distance and having recognized their evil intentions ran away and returned to his village.

This accident happened two days before Sr. Diron passed through this region where the same thing might have happened if the Chicachas had not retired as they are accustomed to do when they have done some evil act. There is in this region and in others on the river thirteen to fourteen leagues higher up tuffa or stone hard enough for building.

The fort of the Naichitoches is situated on the shore of a little island surrounded on all sides by a river and by several other small islands. It is in need of repair. The Spanish have established a post seven leagues from there near the village of the Indians who are called Adayes who number about fifty capable of bearing arms. They have a fort there quite a bit larger than ours with from ten to twelve small cannons about one pounders. They have about fifty men in the garrison at present, as many horses with some cattle but very few because they lost a great number by death. They hope to increase and there is a captain of this garrison who is the only one in their fort with the general and a lieutenant who left on the general's

*Alexandria.

orders about two months ago when Sr. Diron went there to go to the river of the North to meet the convoy they are expecting from Mexico and which is to bring the money to pay their troops who are to be increased, to bring horses and cattle. The general has promised Sr. de St. Denis, Commandant at the fort of the Naichitoches to procure him some cows. Each soldier of their garrison receives four hundred fifty piastres pay per year out of which he must feed himself and provide himself with clothing and arms. He is obliged, moreover, to maintain six horses which he buys out of his pay which up to this time has been given to him in kind but which is to be paid to him from now on half in money, according to the report which the Spanish general has made to Sr. Diron when he went to see him. He was well received by him, but that will not keep him from getting some money among the Naichitoches where the Spanish often go to find what they have need of when they do not find it in their own territory.

The road to the post of the Spanish seven leagues distant is very beautiful. The trees are very fine along it, most oaks, nut trees and pines. From time to time there are very beautiful prairies and one finds in these woods many wild vines which produce grapes as large and as good as those in France. As yet only vinegar has been made from them, but Sr. St. Denis and some others intend to do better and to make some wine as good as that of France. These vines produce one year after they are planted. What makes them grow is that old stumps of these vines have been burned during the winter on the land where sprouts which have grown the same year produce grapes.

Done and decided by us the Inspector General of the Troops and Militia of the Province of Louisiana at fort St. Jean Baptiste of the Naichitoches, the first of May, 1722.

(Signed)

DIRON.

Witness: Bienville.

Witness: Delosme.

CENSUS OF LOUISIANA IN 1721

Reported by Diron (Dartaguet), Inspector General of the Troops and Militia of the Province of Louisiana, November 24, 1721.

Transcribed from the Book of the Census (Recensements) of the Louisiana Historical Society, pp. 20-37.

By the late William Beer, Esq., and printed (in the original text) in Publications, Louisiana Historical Society, Vol. V, pp. 87-103 (1911).

Translated from that text for the Louisiana Historical Quarterly

By

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LA LOUISIANE.

Census of the Inhabitants and Concessionnaires of New Orleans and the Surrounding Places with the number of children, white servants, working men and women, negro slaves, Indian slaves, cattle and horses.

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Negro Slaves	Indian Slaves	Cattle	Horses
M. de Bienville, Commander, general.....	2			3	27	7	24	
M. Gailhous, Major general	1				8	1		
Sr. Banes, Major	1			2				
de Gauvry, Captain	1	1	1	1	5	2		
De Pauger, Engineer.....	1				2			
Descoublans, officer.....	1				1			
Delatour idem	1				1			
Basset idem.....	1				1			
Boustillas idem.....	1			3	13			
Dupuy idem.....	1	1	1		5			
Rossard, notary and clerk	1				1			
Berard, Surgeon Major...	1				1	2		
Berard the younger	1	1			1			
Trudeau	1	1	7	2	31	1	9	4
Sarazin, storekeeper.....	1	1			2	1		
Brule	1	1	3		3	1		
Edme Lucien Porre, armorer	1	1			1			
Bonneau, Ship's captain of the Company.....	1	1						
Pierre Mathurin Dreux brothers	2			10	8	2	1	5
Bellegarde, baker	1							
Mathurin Roy, armorer..	1				1			

¹Mr. Ditchy has translated only the text of Diron's Report, not the census itself, which is reprinted in the text from Mr. Beer's paper, but here translated under the supervision of the Editor of the Quarterly.

La Louisiane Census—Continued

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Negro Slaves	Indian Slaves	Cattle	Horses
Henri Brignois, joiner....	1	1			3			
The widow Dugenois		1						
Jean Reymond								
Jacques Kives, formerly Sergeant	1	1			6			
Pierre Aubert, locksmith	1	1	1	1	2			
Louis de Lassus.....	1				1			
Germain Bertin, shoe- maker	1	1	1		1			
Pierre Demun.....	1	1						
Michel De Caves, carpen- ter, formerly soldier....	1	1		1	2			
Jacques Lemarie, butcher	1							
One called Veillon, turner		1	2		1			
Riffaud, dresser of the house	1							
The wife of Belair, sol- dier		1	2		1			
One called Cariton, tailor	1	1			1			
The wife of one called Lebreton		1						
One called Turpin, wool..	1				2	2		
One called Villem.....	1							
One called Roy, Canadian	1	1			1			
One called La violette...	1	1			1			
One called Richaume, Canadian	1	1			2			
The wife of one called La Riviere.....		1						
One called Tomelin, joiner	1		3					
Pierre Antoine Dufau....	1	1	1					
Bertrand Jaffery	1	1			3			
One called Herbert								
One called Partners ..	2				5			
Provinche								
One called Viger.....	1				7			
One called Duluth.....	1				2			
Coming up the other side	7	25	21	23	153	19	36	9
One called Bigot.....	1					1		
The widow of one called Sans Soucy		1	1					
Jeanne Coffine, tobacconist	1	1	1					
Jean Frederiq Freitag....	1	1	1					
Louis Estienne, engraver	1	1						
Leblanc, keeper of the provisions	1			3	6	1		
One called Joly, joiner..	1							

La Louisiane Census—Continued

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Slaves Negro	Indian Slaves	Cattle	Horses
Adrian Flaman, gardner..	1	1	1					
Bonneau, Secretary of M.								
Dyron	1	1	1		6			
One called Travers, tailor	1			1	1			
One called Godel.....	1				1			
One called Blanchy.....	1	1			1			
One called Barroy.....	1				2			
One called Lempileur....	1				1			
One called Labe, pastry cook	1	1	1		1			
*The widow of Sr. Bouchard, officer.....		1						
People in the Service of the Company:								
Cayeux called St. Germain	1							
Pierre Pinau, carpenter.	1							
One called Pereau id....	1							
One called Bureau id....	1							
Jacques Richard id.....	1	1						
Julien Binard called La forge, blacksmith.....	1	1						
Pierre Foucher, cockswain	1							
Pierre Bel, calker.....	1							
Jeanne Vanguen id.....	1	1						
Guillaume Le Francois, carter	1							
Francois Fion, overseers	1	1						
One called de Byre.....	1							
Pascal, cockswain.....	1	1	2	1				
La France id.....	1	1	1		1			
La borde id.....	1	1						
Mirie called Sans Chagrin id	1	1						
Le messe	1	1	1					
Mazeliere, cockswain ...	1							
Francois Guernaziou....	1							
Pierre Robert, joiner....	1							
Pierre Morel id.....	1							
Jean Robert, locksmith..	1							
Duvallee Commander....	1							
One called Horze, edge tool maker	1	1						
Dufresne, cockswain ...	1							
Marchand id	1	1						
Maigre id	1							
Mayon id	1							
Massiere id	1	1	2					
Le Nantois id.....	1	1	1					

La Louisiane Census—Continued

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Negro Slaves	Indian Slaves	Cattle	Horses
Going up the other side..	91	47	34	28	173	21	26	9
Du Rocher, cockswain..	1							
Blanchard id.....	1							
Vachon id.....	1							
Francois Chero id.....	1							
Diongue id.....	1	1	1					
The wife of one called Marmande		1	3					
Francoise Labrosse		1						
Jullien Mousset, sailor...	1							
Claude Le Clair id.....	1							
Gilles Hory id.....	1							
Cayou id	1							
Francois Guilloin id.....	1							
Lapierre id	1							
One called St. Michel daughter		1						
Gendreau, sailor	1							
Francois Bouleau id.....	1							
Le Vaneur idem.....	1							
One called Villem.....	1							
Forced Immigrants:*								
Antoine Camus.....		1						
Jacques Guillaume.....	1							
Louis Ribert.....	1							
One named Lavigne....	1							
Thomas Foissard.....	1							
Lepiniere	1							
Pierre Mary.....	1							
Bonvoisin	1							
Tourez	1							
Joseph Leger.....	1							
Capet	1							
Duriveau	1							
Francois La Clef.....	1							
Parabon	1							
Nicolas Qugu.....	1							
Nicolas Monsel.....	1							
Bidaud	1							
Nicolas Sizeaux.....	1							
Andre Lenoir.....	1							
Christofle	1							
Dupre	1							
Charles Texier.....	1							
Vincent le Gof.....	1							
Louis Menager.....	1							
Renaudan	1							
Antoine Moron.....	1							
Louis Basse.....	1							
Pierron	1							

*Men who had been banished to the Colony—Forced Emigrants.—Ed. La. Hist. Qy.

La Louisiane Census—Continued

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Negro Slaves	Indian Slaves	Cattle	Horses
Going up other side	133	52	38	28	173	21	36	9
Isaac Pelle.....	1							
Thomas Desmaret.....	1							
La Violette.....	1							
Clermont	1							
Jean Villard.....	1							
Francois Corsey.....	1							
La Roquette.....	1							
La terreur.....	1							
Bourbonnais	1							
Bourguignon	1							
La France.....	1							
Louis Bellanoue.....	1							
Guillaume Castonoue.....	1							
Mars le Gof.....	1							
Femmes de Force:⁹								
La Jolly.....		1						
La Blanche.....		1						
The wife of Violette....		1						
The mother of Christofle		1						
Margueritte Tellier.....		1						
Jeanne Le Trillard.....		1						
Anne Namond.....		1						
La Lenos.....		1						
Magdalaine Ponton.....		1						
La freteneau.....		1						
Marie Boyer.....		1						
Louis Fontenelle.....		1						
Suzanne Hyver.....		1						
The Village of Bayou St. Jean, one League from New Orleans:								
Rivard or La Vigne.....	1	1	6		11	2	30	4
Francois Dugue	1				3	3	7	
Langlois	1	1	1		8	1	4	
Joseph Girardy.....	1	1	2		10	2	15	
The Ancient Village of Colapissas two leagues from New Orleans going up the river:								
Mes're Beaunē, formerly procurer general ¹⁰	1	1	2	3	9		5	2

⁹Women who had been banished to the Colony—Forced Emigrants.—Ed. La. Hist. Qy.

¹⁰The Edict of 1719 reorganizing the Superior Council of Louisiana named Charrier de Baulne as Procureur General, and this list indicates that he had his residence in 1721 about 6 miles above the Cathedral (Jackson Square). This would place him somewhere in the neighborhood of Carrollton Ave. and the river. The "Mdr." attached to his name in the text must be a typographical error of the original transcriber of our copy and should be Messire.—Ed. La. Hist. Qy.

La Louisiane Census—Continued

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Negro Slaves	Indian Slaves	Cattle	Horses
The Village of Chapitoulas three leagues from New Orleans going up the river:								
Sr. Dubruill.....	1	1	2	2	43	2	14	2
Lantheaume	1			1	1			
The Village of Gentilly a league from New Orleans going up the river:								
De Lery	154	70	51	34	258	31	111	17
La freniere	1		3	1	33	4	30	2
Beaulieu	1			5	33	8	60	4
Jean Tronion and Pierre, Partners	1				30	1	15	1
Concession de M. Kolly..	2				1			
Calcourt who sold to Thiery	62	12	5		46	2	5	4
Massy	1	1		2	11		2	
Concession of Monsigneur leBlanc	1			5	8			
One called Sainton.....	7	1						
The Village of Cannes Bruslees five leagues from New Orleans going up the river:								
One called Vieille Ville..	1	1	1	3	5	1		
One called Lavigne.....	1	1	1	1	1			
One called Langévin....	1				3			
The Village of Cannes Bruslees five leagues from New Orleans going up the river:								
M. Dyron, Inspector General of the troops of Louisiana	1	6	1	20	20	2	8	
Concession of M. the captain Dartaignan	47	8	3		20			
Sr. Julien formerly officer	1			3	8	1		
The Petit Dezert two leagues from New Orleans going up the river:								
Concession of Monsigneur leBlanc	1	5		7	9			

La Louisiane Census—Continued

NEW ORLEANS NAMES OF INHABITANTS AND CONCESSIONNAIRES	Number of Men	Number of Women	Number of Children	French Servants	Negro Slaves	Indian Slaves	Cattle	Horses
Of English Turn and the Chaouchas seven leagues from New Orleans going down the river:								
Concession of M. de Coetlignon managed by the Sieur Dumanoir ..		3		6				
Con'on de Mgr. le Blanc	3	20	16	28	2			
Con'on de M. Law.....	5	11	14	40				
Sr. Deslau	1				6	1		
Total	293	140	96	155	514	51	231	28

RECAPITULATION

Men	293
Women	140
Children	96
French servants	155
Negro slaves	514
Indian slaves	51
Cattle	231
Horses	28

Comments on the Foregoing Census

By DIRON DARTAGUETTE

Inspector General of the Troops in Louisiana

Translated by Doctor Jay K. Ditchy

The land at New Orleans and the surrounding places of which we have spoken in the present census is very good. It produces rice, cotton, corn, vegetables of all kinds and tobacco in abundance. It is thought that grapes, wheat, rye, barley and oats will succeed very well there if the land were more exposed and less wooded. It may be later as Sr. Dubuisson, concessionnaire living at Bayagoulas on the Mississippi about thirty leagues above New Orleans, has tried wheat which succeeded very well and ripened perfectly. He had a very fine crop in relation to what he had sown. He had also sowed indigo seed which grew

very well. It is thought that three crops might be raised or at least two very good ones in one year.

There are no quarries in all the neighborhood of New Orleans.

There are great quantities of herbs suitable for all kinds of sickness but there are few Frenchmen who know them. Only the Indians do and knowing their virtue they make use of them successfully. But they are very jealous of this secret and hide it carefully from the French.

Silk may be grown. The worms prosper very well but there is some difficulty in raising many because of the mulberry trees which, though common, are scattered through the thick woods full of canes and thorn bushes so that it is difficult to gather the leaves and that it would be necessary for one who wishes to grow silk to have a number of slaves to go and gather the mulberry leaves and to do this work only. Fewer would be required later if one transplanted young mulberry trees close to the plantation where one wished to produce silk. Sr. Dubuisson has made a test which turned out very well and produced a good silk. He sent samples to the Company of the Indies and to Mr. Paris.

Several sorts of good wood are found such as cypress, white oak, live oak, cottonwood, "ormeau laurier"¹¹ of several species, "saule copaline,"¹² "vinaigrier"¹³ and others.

One uses cypress for all kinds of building for which it is the best wood. They also make fine planks and very fine "bordages."[†] It is asserted that it does not rot in the ground and the worms do not penetrate it in the water.

The bark of the root of the cottonwood tree is used for all kinds of wounds new or old, being boiled and used as a wash for the wound. The seed of the "vinaigrier"¹⁴ is good for dysentery and the root for venereal diseases.

They also get very fine and good "bordages" or beams from the white oak.

The bark of the root of the elderberry if it is boiled stops swelling and if brandy and soap are added to it to make a poultice to be applied on the swollen part.

¹¹Elm or bay tree.

¹²Copal or willow.

¹³Sumac.

[†]Planks, sheathing, beams, weatherboards.

¹⁴Sumac.

The "copaline" produces a gum which is very good for all sorts of new wounds which it closes in 24 hours, causing the flesh to grow again.

The Mississippi River floods New Orleans and the surrounding countries sometimes. This flood has not happened (sic). Three years ago the water came above the top of the river to a depth of three or four inches. The old inhabitants and the Indians say that that is not frequent and that they never saw the river so high as it was.

Three years ago it was agreed that it would be easy to protect against flood by building a levee, the waters beginning to rise in the month of March and continuing until the end of June when they diminished.

Done and decided by us, Inspector General of the Troops of the Province of Louisiana and New Orleans the 24th of November, 1721.

(Signed) DIRON.

And witnessed by Messieurs de Bienville, le Blond de la Tour, Duvergier and de Corme.

ADDENDA

We shall add to the above census different things concerning Louisiana and we shall begin by the concessions.

The principal establishment of the concession of Mr. leBlanc is among the Yazous. The climate and the soil are not favorable. Sr. LeBlond de la Tour, chief engineer of Louisiana, is the administrator of this concession and Sr. des Fontaines director under his orders. There are about 140 persons in this concession, clerks, working men, women and children, including also the officers and soldiers.

The concession of Messieurs de Mezieres and des Marches, is situated half in the Ouachitas country and half on the Mississippi from the white "ecores"¹⁵ of Pointe Coupee to the isle d'yberville which is two leagues below. The land in both these places is good. Sr. Marie is the director of it and there may be in this concession about 120 persons, men, women and children.

The concession of Count Dartaignan is in the Cannes Brulees six leagues above New Orleans. There are great clear fields which are to be sown. The ground is very good but during the

¹⁵"Accores." *Shores.*

great overflows it was flooded from eight to ten inches so that they have made levees to protect it. As the ground is not extensive and as it is subject to inundations as has just been said, they have granted him another one four leagues in extent at la Croix des Tonnica which is very high and where there are some fine high prairies. Srs. Dartiguere and de Benac are the directors of this concession on which there are seventy whites and twenty negroes.

The concession of M. Dyron (sic.) is located at Baton Rouge forty leagues above New Orleans. The land there is very fine and good and there are many prairies. Half of this concession is burned over. They have tried to increase the fields. Last year rice and vegetables were harvested. There are in this concession about thirty whites and twenty negroes and two Indian slaves.

The concession of Msr. Coetlogon is in the Natchez country. It has prospered greatly. Sr. Dumanoir, who directs it, has asked for land above at the English Bend¹⁶ which has been given to him to serve as a depot. We believe that there are in this concession ninety whites, twenty to thirty negroes and a few Indian slaves.

The concession of Sr. Kolly is in the Chapitoulas country three leagues above New Orleans. It is excellent soil which produced last year about 600 "quarts"¹⁷ of rice, from 14 "quarts" which had been sown. Besides that they gathered a quantity of vegetables and of corn. This concession being too closely surrounded by neighboring plantations Sr. Ceard, who manages it, has asked for another of four leagues which has been granted to him situated from above the white "ecores" of the Pointe Coupee ascending the river which a third of the workingmen of the concession were working to clear. This land is also one of the best of the colony. It is believed that there are in all this concession one hundred whites, forty-six negroes and two Indian slaves.

The last two concessions are capable of taking 300 negroes from the Company if one sends them to the colony and by this means they will increase considerably and in a very advantageous fashion.

The concession of Mr. Law is parcelled out in the Arkansas country where there are eighty whites who are working there

¹⁶This must mean below at English Turn. Our records show that this was the site.—Ed. La. Hist. Qy.

¹⁷Quarters.

and thirty other whites who are clearing land below English Bend bordering that of Mr. de Blanc. The land of the Arkansas country is good although there was a very small harvest last year. This concession is operated at present for the Company of the Indies.

The concession of Mr. Danceney will be difficult to establish. Sr. de Lepinay, who is the director of it, is not in a position to undertake it because of the loss he underwent of the greater part of his effects in a store which burned. It has been said that this director received orders from Danceney to abandon his concession. At any rate almost all his workmen and hired men to the number of thirty or thirty-five have taken sides one way or the other and it is believed that the director will return to France by the first ship.

The concession of Mr. de Chaumont is situated among the Capaiaus on the Chapitoulas river. The land is very good and there has already been a good crop of provisions in the country. Sr. Lagarde manages it and it is believed that there are in this concession twenty-five whites and thirty negroes. They have made a trial of indigo on this plantation which turned out very well and of the best quality.

The concession of Mr. Dubuisson which is generally believed to belong to Mr. Paris is established at Bayougoula, eight leagues above New Orleans. The land is very good there. There are about fourteen whites and fifteen to twenty negroes. Sr. Dubuisson, who manages it, has made a trial of silk and has sent a sample of it to France. It has been found of as good a quality as the finest which is used in the factories of the Kingdom.

The concession of Sr. Cantillon, an Irishman, is located on the Ouachitas River, otherwise called the Black River, which falls into the Red River. We have heard that the soil is good and that there are about ten whites and twenty negroes.

Sr. Cantillon manages it himself.

Besides all these concessions there are still other small plantations situated in different places in the colony.

The German families which may comprise about 330 persons of all sexes and ages are located twelve leagues above New Orleans to the left on going up the river on a very good soil where formerly there were wild fields which are easy to clear. The Germans are divided into three "bourgs,"¹⁸ the land of which

¹⁸Market towns.

is of very great extent, has never been flooded. As these people are very industrious it is hoped that this year they will have an abundant harvest and that they will succeed in coming years in making good settlements in the colony.

In March, 1722, there was in the lower part of the colony no certain news from the Illinois country. There was only a letter from Mr. Dartaguiette, Captain of a company in that place dated the beginning of November, 1721. This letter states that Sr. Renault, a concessionnaire, who had come into the colony on account of the mines, was then at a lead mine where he worked very diligently. The lead he had extracted had yielded 90%. If that is true one will have a confirmation of it by the materials that Sr. Renault will send to the lower colony.

It is established that part of the land of Louisiana will produce very good indigo which will give two harvests in ordinary years and sometimes three. There is wild indigo in large quantities, as fine as that of St. Domingue and they have sown some of the wild indigo to see which one succeeds well.

Tobacco grows marvelously and is of a quality not inferior to that of Virginia. Everything leads us to believe that in a few years the colony will be in a position to furnish all the amount of tobacco which the Kingdom may need for its consumption.

Rice grows in equal abundance. The concessionnaires and the plantations were to sell large quantities this year.

Corn and every sort of vegetable likewise grow abundantly. Every one raises them. There are in the whole country a prodigious quantity of mulberry trees and it is only a question of having the time to transplant them so as to feed the silk worms more conveniently. It will take only a few years to bring these young trees to producing a large quantity of leaves because the soil of Louisiana being favorable to them they grow better there than anywhere else. That done, one ought, by importing women silk spinners into the colony to expect a great quantity of silk every year. It is known through the samples that have been sent to France that the silk of Louisiana is of very good quality. It is an important object of cultivation.

It is absolutely necessary to send many negroes to the colony. They are fitter than white men for working the land and inasmuch as the cities of America have been established only through negro slaves, Louisiana will never prosper if a sufficient number are not sent to it. They get used to the climate very

easily. There is no other care except that of clothing them in winter, the expense of which is slight.

All the concessionnaires not having returned to their lands until the month of January, 1722, one ought only to count the establishments of the colony from that time. The new settlers and the few old ones that there are work very hard to have provisions to live on and there is reason to hope if no accident arrives that the harvest of this year will furnish them great abundance after which, according to the quality of their ground, they will devote themselves to cultivating indigo, tobacco, silk, "bray,"¹⁹ and other things which can be sent back to France. But to succeed in this they must be furnished with negroes, otherwise they will not be able to succeed in their plantations.

Spanish trade is of the utmost importance; later on it can be done by sea through the Spanish boats which shall come to trade on the coast, as well as by way of Pensacole (sic.) and by the Bay St. Joseph where the French can go every day. The most profitable trade will infallibly be carried on by land through the Natchitoches post situated on the Red River close to which the Spanish have established a considerable post in a place called "les Adais" where they have constructed a fort with five bastions. This post is so far from Mexico that it does not appear that the Spanish who are established there can bring there for themselves or for those who are established back of "les Adais" and beyond "les Adais" the merchandise and articles of which they have need except through the post of the Natchitoches for by bringing them from Mexico they would cost an excessive price because of the great cost of transporting over a vast extent of land. Whereas the French have the means of bringing their goods by water to Natchitoches which point is only about eighty leagues from New Orleans. They should thus be in a position to sell them cheap to the Spanish.

The Spanish who came in 1721 to establish themselves at "les Adais" had brought 50 thousand piastres to buy goods at Natchitoches but unfortunately there was nothing in the stores of the company which is all the more unfortunate since if they had been able to use their money they would not have failed to return with larger sums.

It will also be very easy to start trade by land with the Spanish established on the upper part of the Arkansas river and

¹⁹Resin, rosin.

toward the Missouri. According to the accounts of "voyageurs" there can be no doubt that a very profitable trade can be established with the Spaniards in both these places without the viceroy of Mexico ever being able to stop it, seeing that the distance does not allow the bringing from Mexico of the goods which are needed by the Spanish who live near these rivers. And as these Spaniards are said to be very rich and as it is certain that they lack the most necessary things, it appears that there will be a very considerable profit on the goods brought to them.

As cattle and horses are absolutely necessary for the establishment of the colony nothing must be neglected to procure some. They can be procured from the Spanish either by way of land or from Tampic (sic.) by sea. It is even believed that some could be gotten from Bayahoude which is a port of the Island of Cuba west of Havana. The horses and the cattle are indispensable for transportation for the vehicles and plowing in the colony and it is desirable that there should be enough beeves to establish slaughter houses in the most populous places otherwise life there will always be rough and very hard.

One of the principal objects is to form establishments on the Mississippi River and the greatest misfortune of the colony came from not having had vessels enter this river to bring there all the colonists that have been sent to Louisiana. This river was navigable in the earliest times of the settlement as it is today but they have never been able to profit by it for all the concessionnaires and their effects have been landed on the sands of the coast as there were not enough small boats to transport them into the river which the vessels which brought them from France to the Colony might easily have done. More than half of the workingmen and the "engagés"²⁰ of the concession perished because of the long stay they had to make on a barren coast and through hunger and lack of aid during sickness, almost all their goods were used up or sold whereas if as soon as they arrived they had been sent up the river in the boats in which they had come, these poor people would have been safe and the concessions or plantations would have been established in the first place along the river and the goods would have served to improve the plantations which would be at present able to repay the proprietors for the great expense they incurred in contributing to the establishment of the Colony.

²⁰People brought from France under service contracts.

It is certain that the navigation of the Mississippi River is very easy and that ships can enter it without difficulty, that is to say, all those which do not draw more than twelve feet and a half. There are ordinarily thirteen feet of water at the entrance to this river and sometimes more and the bottom is very soft which is proven by the report of several captains who have passed over it several times and by that of Pere Charlevoix, a Jesuit, who passed there also in the month of January, 1722.

We are assured by certain reports of all the travelers who have gone along the whole length of the Mississippi that the lands are excellent there and including English Turn as far as the French have been able to go ascending the river. Only the land of the Yazous is not favorable. It has been asserted likewise that the lands from English Turn on down the River to a certain distance from the mouth are also very good.

The headquarters of the Company were first on l'isle Dauphine where there was a very good port but since then the entrance has been blocked by moving sands. They transferred it to old Biloxi and afterwards to new Biloxi which is at present called Fort Louis. The vessels from France which went into these places were obliged to anchor four full leagues from solid land. This roadstead is exposed to all the north winds which are sometimes very violent. Ships there are also exposed to the attack of enemies. They have no fortifications on the island to defend the roads.

They have given orders to transport the headquarters to New Orleans it being absolutely necessary that it be on the Mississippi River, but, according to many people who are acquainted with the colony, it would be better to establish it at English Turn on the same river where the land is very good because if the vessels are always obliged to go and unload at New Orleans they will run a risk of losing considerable time in going up the river from English Turn to New Orleans, although it is only seven leagues from one place to the other, whereas if they went only to English Turn it would often take them only 24 hours to go there from the mouth of the river.

It will also be said that if there were many establishments along the Mississippi River from English Turn to New Orleans the ships which cannot ascend that far promptly would have occasion to carry on a contraband trade, a thing which would not happen if they were made to unload at English Turn from

which place it is only two or three leagues by land to New Orleans which would be very handy for transporting merchandise which was needed quickly. Independently of which it is certain that by deciding to establish the unloading of vessels in this place one will often shorten their trips by two months.

Although there are in Louisiana four engineers whom the Company of the Indies sent there in 1720, one may assert that in March, 1722, no fortifications had been constructed. There was not even one mounted cannon on the whole coast.

[Not Signed.]



**MARINE SURVEY OF SCHOONER CHARLOTTE AND SALE
OF SAID VESSEL AT AUCTION, NOVEMBER 24, 1777**

Translated from the Spanish Judicial Records of the Province of Louisiana,
at the Cabildo, New Orleans

By LAURA L. PORTEOUS.

Year 1777

Sale

of the schooner named "The Carlota"
owned by Messrs. Mesples Brothers,
Don Nicolas Recommenee its Captain.

No. 3691

I.

**Marine Protest by
Captain and crew
of the schooner
Charlotte showing
the vessel to be
unseaworthy.**

Proces-verbal and declaration concerning the schooner, "The Charlotte" of Port au Prince, Messrs. Mesples Brothers, owners.

We the undersigned Captain, officers, mariners and sailors composing the crew of the said schooner declare

we have no knowledge of any examination made of the said schooner; that no repairs have been made to the hull of the ship other than to recover the outside up to the water line to their knowledge, that the carpenters have changed several tree nails starboard and larboard and repaired many bad seams sufficient to cause leaks. These repairs were made against the will of the owners who did not wish to give anything but a simple coat of tar to the floors of the ship. We declare that notwithstanding this repair the schooner leaked since leaving port which has been increasing at sea that we examined the hull the of September, where we discovered fore and aft many causes proceeding from the defects of the frame all weakened fore having also some play under the port to larboard, this having been without doubt crushed by the loading of wood at Cayviete and at the stern near its crotches on the fore of its sternpost. This crotch is very rotten and we took much water starboard without the power to remedy it; and to larboard to two strakes of the keel and three feet of its free-board. Besides we discovered at its last raising a play of water in the frame for the space of 18 to 20 inches, we were not able to see more forward on account of the plank-ing. This flow of water we have fothered with some oakum.

putty and lead and we have had to repair the pumps every two hours in a little wind, but in a gust from the south, or a gust from the north, as we have had to endure gale after gale, to make land we have been obliged to be always at the pump.

Besides we declare the foremast absolutely rotten at its coupling for more than half of its diameter, its great mast very rotten and having a very bad part to larboard to one half its height, also very rotten at its cleats of the haliards and the hoops of the driver boom.

We declare indispensable besides a main sail, a fore-stay sail, a cross pack sail and a fore top sail, the schooner can not heave to and having need of them could not enter the river on this account because of the strong currents outside of the passes. The surplus sails need much repair.

The schooner besides these effects of decay must have one part of its timbers on deck changed.

For all of which we draw up the present proces-verbal and in faith of which we have signed at New Orleans, October 14, 1777.

This is Jos.

+ Dugue's mark.

N. Recommenee.

This is Bertrand

B. Dugue + Perodeau's mark.

Manuelle Piaz.

This is

+ Thomas Fouche's mark.

II.

Marine survey of the schooner Charlotte by a board of experts. The vessel is condemned as unseaworthy unless certain repairs are made.

Proces-verbal of the expert examination of the schooner "The Charlotte" Captain, Mr. N. Recommenee, owners, Messrs. M. Mesples Brothers, of Port au Prince.

We, the experts requested and approved by His Majesty's Commissioners after inspecting the said schooner declare that it is absolutely necessary to strengthen the fore part of the said schooner by two breasthooks inside, above and below the port to fasten this part that does not hold and which has broken loose from the frame.

To change four timbers on its starboard deck fore and aft and principally athwart its port shrouds.

To change likewise, six timbers larboard on the deck and principally athwart the port shrouds in coming over the stern.

That it is also necessary to repair the starboard and larboard hand-rail at the joining of one piece only of about two inches even by six inches long that will make the fore part of

the main mast level, after the taffrail will have been fixed. To fasten the poop that is loosened so that it will function.

Likewise to re-cover the deck of the said schooner that is opened in all its timbers and principally in the gang way.

To nail the planks again, all the furr of the upperworks fore and aft and below the gunwale.

Change the larboard pump and to renovate that of the starboard and the two pump-breakes.

We condemn the two masts of the said schooner that must be changed.

That on the flaws that we have uncovered at the free-board fore and aft where we have observed different leaks, we have discovered the said sides all worm eaten down to the bottom of the said schooner. This we have seen from the inside as it has not yet been careened. It is required to change the different sides down below the waterline, also that part which is above the waterline, or rather to sheath the said schooner after it has been well breamed, nailed again, tree-nailed again, caulked, etc., before laying the sheathing.

Change the master piece of the rudder that has not but two inches of good wood and it is necessary to put in new.

These repairs we the undersigned declare necessary and we estimate them at the sum of three thousand livres, money of this colony, for both furnishings and workmanship and in case the abovesaid repairs should develop the need of others they will be estimated in a ratio as will be found necessary to make besides those not mentioned above. In faith of which we have reported the present proces-verbal over our signatures.

At New Orleans, October 18, 1777.

Aouguistin Fabree.

Etienne Plauché

J. Marchaiz Langagnerie.

Isidro Miller,
Captain.

III.

Estimate of costs of new sails.

Statement to make the repairs on the sails of the schooner, "The Charlotte," Com-manded by Mr. Recommanee.

Namely

Duck that is necessary to make the studding sails, the	
cross jack sail	72 l.
Item to make a middle jib.....	32 l.
Item to repair the main sail.....	60 l.
Item to repair the fore mast.....	2 l.
Item to repair the jib.....	10 l.

176 l.

At 2 l., 10 s., the sum makes.....	440
Item for workmanship	115
	<hr/> 555

I certify the repairs hereabove are indispensable and are at the most just price.

New Orleans, October 18, 1777.

(Signed) A. Limie.

IV.

Recommendation of the Port Captain, approved by the Governor, that the Captain be authorized to sell the schooner.

Considering the proces-verbal hereabove by us the Commissioners of His Most Christian Majesty at Louisiana, we authorize the Captain under the good pleasure of the Governor to sell the said schooner, "The Charlotte" as incapable of continuing its voyage and considering that the repairs to put it in a state to stand at sea would be too onerous to the interests of the owners as the expenses incurred would be much too great, and that the boat would not be worth it after the said repairs were made.

At New Orleans, October 17, 1777.

(Signed) Villars.

Let this license be approved.

(Signed) Galvez.

V.

Auction sale of the schooner, cried three times.

1st. Call. In the city of New Orleans the eighteenth of October of the year one thousand seven hundred and seventy seven, by voice of Nicolas Jurdain, public crier the first call of the schooner, named "The Carlota" was given, and no bidders appeared. In testimony whereof I set the present down as a matter of record, to which I certify.

2nd. Call. In the city of New Orleans on the twenty seventh of October of the year one thousand seven hundred and seventy seven by the voice of Nicolas Jourdain, public crier was given the second call for the schooner named "The Carlota" and no bidder appeared and in testimony whereof I set the present down as a matter of record to which I certify.

3rd. Call. In the city of New Orleans on the fifth of November of the year one thousand seven hundred and seventy seven by the voice of Nicolas Jourdain, public crier, the third call of the schooner, "The Carlota" was given and no bidder appeared and in testimony whereof I set the present down as a matter of record to which I certify.

**Sale of the schooner
at auction to
Etienne Plauche.**

In the city of New Orleans on the twenty fourth of November of the year one thousand seven hundred and seventy seven, Don Francisco de Villiers, Alcalde Ordinario of this city and its jurisdiction for His Majesty, it being about nine o'clock in the morning of this day, standing at the doors of the Casa Capitular of this city, the accustomed place for these present acts, Don Nicolas Recommenee, Captain and guardian of the schooner named "The Carlota" of a burden of about seventy tons, belonging to Messrs. Mesples Brothers and he ordered the said schooner cried for which the said Nicolas Recommenee has solicited the sale by auction as it appears from the foregoing decree and permission of the Governor General and in fact by voice of Nicolas Jourdain, public crier, I, the escribano, made him call the fore mentioned schooner with all its tackle, rigging and instruments, etc., that belong to it together with its canoe and all according to and in the state in which it is found and many persons being present Joseph de la Place appeared and made a bid upon the said schooner with all its furnishings for the sum of one hundred and fifty pesos to be paid in cash. This bid was admitted by His Honor who ordered that it be cried. Luis Liotau appeared, who made a bid on the said schooner at one hundred and eighty pesos. Don Luis Lesassier offered two hundred pesos and Estevan Plauché offered two hundred and one pesos paid in cash, this last bid was admitted by His Honor who ordered it to be cried and having repeated the call several distinct times saying he had to complete the sale at twelve o'clock of this day to the person who would give the most and the bell having struck the hour a call was made by the voice of the crier saying, then is there no one who can bid nor who can give more than the last price of two hundred and one pesos, offered by Estevan Plauché, once, twice, three times, that is good, that is good, to the bidder who has made it, who must pay in cash the fore named sum of two hundred and one pesos and the said Recommenee received it in virtue of which the said sale was accomplished in favor of Estevan Plauché as highest bidder and His Honor signed with the vendor and the purchaser to which I certify.

(Signed) N. Recommenee.

(Signed) Etienne Plauché.

MISSISSIPPI IN THE TRANSFER OF THE LOUISIANA PURCHASE BY FRANCE TO THE UNITED STATES*

By Dunbar Rowland, LL. D.

Jackson, Miss.

MR. PRESIDENT, Members of the Louisiana Historical Society,
Ladies and Gentlemen:

Before taking up the subject of this address, permit me to express my very great appreciation of the courteous invitation of your distinguished president to address you on this occasion which celebrates one of the greatest events in American history. It is a profound pleasure to have the opportunity of taking part in this important meeting of the Louisiana Historical Society. I have always regarded it a highly valued privilege to meet and associate with the historical workers of Louisiana, and I have always gained inspiration from you and from this beautiful historic city where the Frenchman, the Spaniard, and the American have joined in the creation of a culture and a civilization of which the entire country is proud.

Louisiana and Mississippi have always been closely and intimately associated; we have developed along the same social, political and economic lines, clung to the same ideals and fought for the same principles. Our soldiers were with yours on January 8, 1815, in defending this city against an invading army, when Thomas Hinds and his Mississippi Cavalry were the right arm of Andrew Jackson. Louisianians and Mississippians fought side by side at Chancellorsville, Gettysburg, Spottsylvania, and Appomattox. When your State was redeemed from the scourge of Federal reconstruction that followed the War for Southern Independence, some of our brave men gave their lives in that effort, which had for its purpose the restoration of the devastated and ruined South.

Louisiana and Mississippi have a common interest in the fame of some of the most distinguished names in your history. Both States have shared in the greatness and public services of Iberville, the founder of Louisiana and of Mississippi, under whose leadership the first French colony was established at

*An address delivered before the Louisiana Historical Society, December 20, 1929, on the occasion of the celebration of the one hundred and twenty-sixth anniversary of the Louisiana Purchase.

Fort Maurepas or Old Biloxi on April 8, 1699. This historic site in Ocean Springs, Mississippi, is the burial place of the brilliant and intrepid Sauvolle and of hundreds of French Colonists. We join you in honoring Bienville, the founder of New Orleans, who has no superior as a colonial administrator in our history. We share with you in the distinguished career of Gayoso, the courtly representative of the Spanish dominion; of Claiborne, your first governor, of whom I shall have more to say later on; of Martin, the learned jurist and historian; of Lewis, a pioneer in the judicial annals of your State, and of Prentiss, one of the South's greatest orators who is buried at Natchez.

Thus we see that the impress of Louisiana and Mississippi upon each other has been deep and enduring. We delight in joining you in acknowledging our indebtedness to French influences, traditions, and ideals. We take pride in the fact that we have been impressed by Spanish chivalry. I sometimes wonder if we give due credit to Spain, the nation which taught the medieval world the wisdom of that exploration and colonization which led to the founding of this mighty leader among the nations.

I could multiply the examples of the impress which the people of your great Commonwealth have made upon the social, educational, and governmental progress of Mississippi, but it would only serve to emphasize and increase an obligation which we delight to own. If we have, in a measure, repaid the debt by giving you the Claibornes, the Guions, the Gibsons, the Prentisses, the McCalebs, the Lewises, the Nicholsons, and Parkers, and many others equally distinguished, we are glad indeed, for in giving you these outstanding names we have but added links to our bond of brotherhood.

A people who are the heirs of the racial traditions and principles of France, Spain, England, and America must necessarily be lovers of history, and that feeling will find expression in the organization of historical agencies. It was this aspiration that brought into being the Louisiana Historical Society. Since its organization in 1836 it has had upon its membership roll many distinguished names not only in historical circles, but in many other fields of endeavor. In looking over the early roll I find the name of J. D. B. De Bow. If there is an incomparable author-

ity on the life and development of the old South, it is De Bow's *Review*, which for so many years represented Southern progress and culture. I believe that I am safe in saying that that *Review* is the most sought after periodical in historical circles in the United States, and that it is the best secondary source of information which we have of the period of Southern history prior to the War for Southern Independence. This Society, I am sure, takes great pride in the fact that its roll bears the name of Benjamin F. French, who was a pioneer editor and publisher of historical sources. He began his work in the early 1840's when the great importance of archive material in America was imperfectly understood. His "Historical Collections of Louisiana and Florida" have become classics to modern historians.

Your first president, after the reorganization of the Society in 1846 was Francois Xavier Martin, his versatility was remarkable; he was a success in four distinct fields of activity, he was distinguished as a journalist, educator, jurist, and historian, and his histories of North Carolina and Louisiana are still regarded as authoritative.

It is impossible to think of Louisiana history separate and apart from the name of Charles Gayarré. To him you are indebted not only for an excellent history of your State, which is generally regarded as one of our best state histories, but you owe the reorganization of the Society in 1877 to his devotion to its interests. When I mention with admiration the name of Alcée Fortier, scholar, educator and historian, I confer the laurel where it is due. May I say that it gives me very genuine pleasure to express my admiration for the genius of Grace King and Henry P. Dart who are living and shining representatives of your culture and traditions.

I could take up all my time very pleasantly and profitably by calling the roll of distinguished men and women who have held and who now hold membership in your Society, but I am reminded that your honored president instructed me to address myself, to some phase of that great event, the Louisiana Purchase, which added an empire to these United States.

If I depart somewhat from the usual method of treating this subject, and present perhaps a new view of it for your consideration, I hope you will welcome a departure from well worn view points. It goes without saying that I have not the

temerity to attempt in a short address to give even an epitome of the history of the world's greatest land sale.

We have grown into the habit of lauding the politician and statesman and giving them credit for the achievements of mankind, when as a matter of fact, they are the mere instruments of great and irresistible forces generated by primitive men and women. The work of the backwoodsman and of the women and children of his family in exploring, conquering and holding the Louisiana Purchase was largely individual. The United States of 1803, as a whole, had little to say as to law and order in the great valley of the Mississippi. The frontiersman who made the first trail across the Allegheny Mountains and built his log cabin and rude stockade on the banks of the great Mississippi acted on his own initiative. The government neither encouraged nor protected him. These men elected their own military leaders, and carried on war on their own account against their savage foes. They formed their own governmental systems without assistance or interference from the adjoining states or from Washington, and to their credit be it said that their unwritten laws were not unjust. Justice was swift and certain, but generally the will of the majority ruled until the settlements were organized enough to establish civil law. Throughout this region the struggle up from primitive conditions to civilized life and stable government is a marvelous story of elemental forces and rivalries at work in the shadows of the forests and on the outskirts of life.

But the men and women of the Mississippi Basin were of a far-seeing race. They were the sons and daughters of the makers of the Republic. They had behind them self-governing ancestors for a thousand years. It soon became evident to them that they must have stable government, and must be admitted to the councils of the Republic if they were to have a share in its destinies. They knocked at the door of the Congress of their country and were admitted as sovereign states. Soon the new states of the Mississippi Valley sent their hardy scouts to view the land west of the great river. With more vision than the erudite Charles Dickens, they believed that it was a land with a future; and with all the zeal of a land-loving race they determined to possess it. They wished to secure the free passage of the Mississippi River to New Orleans by peaceful means,

but if that could not be done they were determined to possess it by conquest. This determination was behind Thomas Jefferson, who had the vision and the courage to use it for the good of his country.

Thus we see how this great and growing American civilization inevitably acquired a vast stretch of land contiguous to it. It must not be supposed, however, that the statesman and the soldier do not play a prominent part in such achievements. Thomas Jefferson, the greatest American statesman, gave the Louisiana Purchase to the United States, and led the way for James K. Polk, Zachary Taylor, and Jefferson Davis to add the imperial domain extending to the Pacific. But let me express again that as a matter of fact the Louisiana Purchase was due to Southwestern American Colonization. It followed inevitably upon the great western movement of the backwoods settler folk. To these restless, hardy adventurers, the Mississippi River formed no barrier. The vital importance to these people of the free navigation of the Mississippi can readily be seen. Control of this mighty current for commerce was of personal consequence to every backwoods farmer, every land owner and every townsman who lived beyond the Alleghenies. This compelling interest, let me say again, was the power which prompted Jefferson in the great purchase.

At the beginning of the 19th century, Napoleon, that magnificent prodigy of his age, was First Consul of France, and was already casting his eyes toward the American territory on which France had claims. Jefferson was President, and Madison, his close friend and protégé, was Secretary of State, both were great men, but not exactly fitted to cope with the artful duplicity and unscrupulous diplomacy of Napoleon and Talleyrand. Jefferson was wedded to the peaceful and prosperous development of his country after the trials and glories of the Revolution, and while he loved the French with an affection based on close association, he could see that if things went on as they were going, the French would take Louisiana. That meant war, for at that very time the frontier folk of Illinois, Kentucky, Tennessee, and Mississippi were taking down their trusty rifles from over the fire places of thousands of log cabins, sharpening their hunting knives, and buying powder and moulding bullets; and the wise sage of Monticello knew it. Therefore he made every effort to

secure control of this imperial domain by purchase. He took various means, official and unofficial, of impressing upon Napoleon that feeling was running high in the United States, and was very hostile to him. It was no argument of Jefferson's nor of the American diplomats that changed Napoleon's mind. It was the need of money to carry on the struggle in which he was engaged, and the fear that England would seize Louisiana, or that it would be forcibly taken by the United States. There was much haggling as to terms, but finally a treaty was signed in 1803 ceding Louisiana, which reached to the Rocky Mountains, to the United States for fifteen million dollars. In the language of the modern realtor, that was some real estate deal.

The purchase settled for all time the fact that the Spaniard and his civilization would have to yield supremacy in the vast territory extending from the Mississippi to the Pacific. This expansion towards the west established for the North American continent its Anglo-Saxon civilization.

Thomas Jefferson was inaugurated President of the United States March 4, 1801, and on May 25, 1801, he appointed a brilliant young Virginian Governor of Mississippi Territory. To a young man twenty-six years of age, he entrusted a post which at the time was one of the most important appointments of the new administration. Jefferson was preparing to meet the Louisiana situation which was fast developing. The Mississippi Territory was the strategic point in Spanish-French-American relations. As the far outpost of Anglo-Saxon civilization, it stood for and represented the principles of Jeffersonian Democracy. To this post of duty the President sent William Charles Cole Claiborne, of Virginia and Tennessee. He left Nashville October 8, 1801, by way of the Cumberland, Ohio, and Mississippi Rivers. On the day before he began his voyage to Natchez, he wrote these magnificent words to James Madison, Secretary of State: "In a letter which I have received from Judge Lewis dated 'Near Natchez, September 3, 1801,' he says, 'It seems to be confirmed that Spain has actually agreed to give up Louisiana to France.' I know not what grounds there are for this report, but it has prevailed in this State for several months, and obtained general belief." He reached Natchez, then one of the most distinguished Southern capitals, on November 23rd.

Governor Claiborne received an express from Washington November 9, 1803, notifying him of his appointment by President

Jefferson as a Commissioner, associated with General James Wilkinson to receive from France the Louisiana Purchase with authority to succeed the Spanish Governor until a government for the new territory should be established. He began at once to make preparations for the prompt execution of the duty assigned him. On December 1, he wrote to Madison, "This day having proved fair, I embarked a company of the Natchez Artillery, another of riflemen, and one company of Militia Infantry, in all about one hundred men, on board of a vessel at the Natchez landing, with orders to sail immediately for Fort Adams. I impressed on this occasion, into public service a schooner which lay in the river opposite this city. The same schooner will assist considerably in transporting from the heights troops and stores to New Orleans. Tomorrow morning I shall proceed to Fort Adams by land. And I expect on my route to fall in perhaps with eighty more volunteers on their way to that garrison which is appointed the place of rendezvous. I have learned with great pleasure that General Wilkinson had arrived at New Orleans on the 25th ultimo, and is hourly expected at Fort Adams." The Governor arrived at Fort Adams, Wilkinson County, Mississippi, December 4th and wrote to Madison that day: "I arrived here this evening and had the pleasure to meet General Wilkinson." In the same letter he writes of an express which he had received from Daniel Clark of New Orleans, "I congratulated you sir on the contents of that communication, since it justifies a hope that the Province of Louisiana will be surrendered to the United States immediately, and that no blood will be shed on the occasion."

Fort Adams, the place of rendezvous, is thirty-eight miles south of Natchez. The spot was originally called by the French "Roche à Davion" for Father Anthony Davion, who established a mission there among the Tunica Indians in 1698. After 1764 it was known as Loftus Heights by the English, and subsequently and ever since by the present name of Fort Adams. The fortification was made after the Spanish withdrawal from the Natchez District as a frontier post near the demarcation of the Spanish and American domains on the east side of the great river. The site was recommended by Captain Isaac Guion after his arrival at Natchez in 1797. The fort was built after the arrival of General James Wilkinson in August, 1798. It was completed in

1799 and comprised a strong earthwork magazine and barracks. It was named in honor of John Adams, then president of the United States. It had a garrison of about 500 regular United States troops in December, 1803.

After Claiborne's arrival at Fort Adams he made daily reports to Secretary Madison. On December 5 he refers to the impressment of the schooner. "I at this place met the owner of the schooner which I impressed into the public service at Natchez, and he appears much dissatisfied with that impressment, and affects to be in expectation of no small indemnity for the injury he sustains. I feel this to be the most arbitrary act of my life, but one which not only the public service required, but absolute necessity at the time seemed to demand. The schooner has already been serviceable in conveying to this place a large part of the militia, and future services will be still more valuable, as without the assistance of such a vessel, there is much of the ordnance fixed ammunition and other necessary military stores that could not at this time be transported to New Orleans." On December 5 he reports the arrival of one hundred and sixty Mississippi volunteers and says that he expects forty more to arrive on the 6th. He reports the rapid completion of the transports, on the 6th. On December 7th he writes that a heavy fall of rain has prevented embarkation. On the 8th he writes "I am still at this place. Our militia were mustered this evening, and amount to about two hundred. I wish for myself no greater force in addition to the regular troops, and I presume that in this opinion the general will concur. The militia are ready to proceed, and are becoming extremely restless."

On December 10 the expedition embarked from Fort Adams for New Orleans. That date is an important one in Mississippi history. On December 10, 1817, fourteen years after the departure of Claiborne and Wilkinson from Fort Adams the State of Mississippi was admitted into the Union.

The voyage down the river to New Orleans was completed in seven days. The American Commissioners and their forces arrived on December 17 and encamped within two miles of New Orleans. When the Spanish garrison took leave of the city Daniel Clark organized here a battalion of Americans and French Creoles three hundred in number and maintained order until the arrival of Wilkinson and Claiborne. Among his men were

Reuben Kemper, George Martin, George Newman, Benjamin Morgan, William Flood, Woodson Wren, and other citizens of Mississippi Territory.

Governor Claiborne's military escort consisted of a company of volunteer cavalry under the command of Capt. Benjamin Farrar and known as the Adams Troop. It was the first troop ever formed in the Mississippi Territory. The troop was distinguished at the battle of New Orleans, January 8, 1815, under the command of Capt. James Kempe, the grandfather of Mrs. Jefferson Davis.

In organizing, equipping and transporting the expedition there was the utmost harmony between the American Commissioners. General Wilkinson was a gallant and distinguished officer in the Army of the Revolution and naturally Governor Claiborne deferred to him in all matters of a military nature. On the other hand, General Wilkinson was most considerate of his young colleague in all civil affairs. After communicating with Prefect Laussat, the American Commissioners paid him a visit at his home accompanied by thirty members of the Adams Troop, and on their approach were saluted with nineteen guns.

After all the ceremonies fitting to the occasion had been courteously observed the American troops marched into the city. They were greeted by a salute of twenty-one guns. Forming upon the plaza, now Jackson Square, they faced the Louisiana militia. After Laussat had delivered the keys of the city and proclaimed the transfer of the vast Province the French tricolor dropped, the stars and stripes were raised, and the Natchez artillery with their brass fieldpiece participated in the joyous roar of cannon from batteries and boats.

We are celebrating this epoch-making event tonight on the very spot where it took place one hundred and twenty-six years ago. This Society which represents the joint achievements of three great civilizations is to be congratulated on its unselfish and patriotic work in keeping alive in a material, commercial age a love and veneration of its past. The great work which you have done and are doing for the preservation of your history should receive the most liberal support of the State as an educational undertaking of supreme value, and I hope that I may be permitted to say that you should also receive a generous endowment from men of large means in your midst.

It took one hundred and fifty years for civilization to push beyond the Alleghenies, but in the next seventy-five it crossed the continent, and reached the Pacific slope. This rapid advance was largely due to the Louisiana Purchase. Growth in the great Mississippi Basin was rapid. Great fields of cotton were planted in Mississippi, Alabama, and Louisiana, and by 1834 over two-thirds of the cotton raised in the United States was grown in these three states and Tennessee. The steamboat and the cotton bale were largely emblematic of the Mississippi Basin, while later corn, wheat, cattle and sugar cane came to swell the list. The ease with which the rich and level lands of the valley might be cultivated drew thousands of emigrants from the eastern states who were tired of rocky hillsides. New towns sprang up with astonishing rapidity. Railroads were crossing here and there throughout the states, bringing freight to the large towns along the Mississippi and to the Great Lakes. In fact nearly all the states were assisting in financing the railroad companies in order to receive benefit from this new mode of transportation. Louisiana alone issued nearly a million and a quarter of bonds for this purpose. According to the census of 1820 there were in round numbers ten million people in the United States and one-fourth of these were inhabitants of the land beyond the Alleghenies. In this great tide of emigration were men and women of strong character, energy, and ambition, both for themselves and for their children.

This western movement with its consequent increase in wealth and territory, gave the best opportunity that the world has ever known for the complete development of Democratic institutions. The center of population since 1790 has been moving towards the Mississippi, and so has the center of influence. With the passing of pioneer conditions, and with the increasing population in the states in the Mississippi Valley, the balance of political power necessarily altered, especially from the fact that a larger proportion of these millions were voters than a corresponding number left in the East.

And now I trust we shall be allowed to take account of our future prospects. The economic development of the Lower South after its recovery from the ravages of war has again begun. The Panama Canal, the dream of the centuries, has opened up a new gateway to the Pacific and the Orient; the trade of the world will

pass this way, and the commerce and culture of Venice, Alexandria, Naples, Genoa, Marseilles, and Barcelona will be repeated in new forms in the history of New Orleans, Tampa, Pensacola, Mobile, Pascagoula, Gulfport, and Biloxi. The river ports of the Mississippi, Memphis, Greenville, Vicksburg, Natchez, and Baton Rouge, will in future be the centers of a marvelous development. Here not only material power will hold equal sway with the world's centers of trade and commerce, but art and literature will flourish equal to that of any of the day. In some of these ports the day is already arriving.

Before concluding may I say something of an undertaking of the State of Mississippi through the agency of its Department of Archives and History which I hope will contribute a pleasing incident to the ceremonies of this happy occasion. I see from this wonderful collection of historical portraits and paintings that you fully realize the value and importance of the painted canvas in the visualization of historical events. We find in Mississippi that this form of historical instruction is universal in its appeal. The printed page appeals to the student and the scholar; the painted canvas reaches all classes of people. In Mississippi we are popularizing our historical activities by having made a series of historical paintings that picture the great events of our history. It was a delightful co-incidence that the invitation from your honored president came to me when one of these paintings had just been completed by Alexander Alaux, a distinguished artist of New Orleans. It beautifully pictures the embarkation of Governor Claiborne and General Wilkinson with their military forces from Fort Adams, which I have attempted to describe to you.

It gives me very great pleasure to give this distinguished assembly, which by special invitation includes the descendants of the Claiborne and Wilkinson families, the first view of this beautiful work of art which I hope will add one more link in the friendship and love which indissolubly binds the sovereign states of Louisiana and Mississippi.

THE FUNERAL CEREMONY OF NAPOLEON IN NEW ORLEANS, DECEMBER 19, 1821

By A. E. Fossier, A. M., M. D.*

TWICE in its history, has New Orleans mourned the death of a renowned warrior; and twice, in its Cathedral, prayers have risen to heaven in reverence to the memory of an esteemed hero: once, for their cherished Napoleon Bonaparte, and again, after a lapse of a century, for the greatest general of the World War, Marshal Ferdinand Foch.

It may seem a strange coincidence that here, in this city, French in origin, and French in culture, its citizens of French descent, although thorough Americans, rose to pay homage to the memory of the two greatest of French soldiers, Napoleon Bonaparte and Ferdinand Foch.

On the fifth of September of the year 1821, on a Wednesday morning, the French and Creole population of this city were startled and dumfounded by a short notice in the French section of the Louisiana Gazette, entitled:

DEATH OF BONAPARTE

"Mort De Bonaparte.

"Four months after the demise of Napoleon, the news of his death reached this city, gleaned from the following terse notice in the Royal Gazette of Jamaica, dated July 14th, 1821:

"The brig Amphitrite, captain Morgan, was boarded on June 23rd, by Captain Anderson of a vessel of the Winchelsea Company, returning from China, which landed at St. Helena, after forty-six days at sea.

"The Captain announced that Bonaparte had died on the 5th of May from cancer of the chest, and that on the ninth of that month he was interred with great pomp at Longwood.

"Captain Morgan also announced that because of the death of the ex-Emperor, the port of St. Helena was declared a free port of entry for all American shipping."

*This paper was read before the Louisiana Historical Society on April 30, 1929.

This laconic announcement of the ex-Emperor's death was not even reproduced in the English section of that Gazette. It was not until the fifteenth of October of that same year that mention was again made of Bonaparte. In the French section of that same Journal there was a notice in its advertising columns, which read as follows:

NAPOLEON

"Persons desiring to contribute to the fund for celebrating a religious funeral service in memory of Napoleon, are invited to meet on Tuesday, the 16th inst., at 5 p. m., in the grand hall of the Orleans theatre immediately above the café.

"It belongs only to a severe and impartial posterity to determine the position which Napoleon will occupy amidst the great men of ancient and modern times. But the circumstances of his painful exile, and his premature demise, are alone all sufficient to inspire the most virile interest in liberal men of all nations and of all sects, and also to merit from them a last homage to his memory.

"The editors of this city are requested to insert this notice in their journals."

A month after this meeting, we read in the same paper the complaints of many individuals who deplore the delay in the execution of the plans for the memorial funeral ceremonies. But the elaborateness of the ceremonies, the meticulous care given to the erection of the catafalque and the composition of suitable music for the occasion, bespeak the devotion with which the preparations were secretly made for that august ceremony. The cenotaph was designed by Fogliardi, a distinguished artist of that time, and judging from the description of that work of love, he evidently was an artist of taste and merit.

The cantata was written by Davesac, and the music was composed by a young Italian artist then recently in the city, A. L. Collegari by name. This was the first occasion that the opportunity presented itself for displaying his art to the public. This apotheosis in song, which commanded such favorable comment and was so highly praised, is lost to us today. Again a work of genius and of historical import has been relegated to

oblivion. Mr. Collegari was a professor of piano-forte and vocal music, and also taught the Italian language and literature. He resided a few steps from this hall, in the immediate rear of the Cathedral, at No. 4 Rue d'Orleans.

On Monday morning, December the 19th, the memorial services were celebrated and were reported as follows in the English section of the Louisiana Gazette:

NAPOLEON'S MEMORIAL

"The adherents of the late Napoleon Bonaparte who reside in this city, having caused a splendid bier or catafalque, to be erected in the Catholic Church, which was hung in black for the occasion, they yesterday walked there in procession, and a funeral service was performed by the priests.

"Mr. Canonge delivered an oration to the crowd who attended in the Church, and the singers of the French Company of players, sang several pieces during the celebration of the high mass.

"A collection was also made in the Church, which produced a very handsome sum for the poor."

This brief report of such a solemn occasion, and the apathy manifested in the English section of that newspaper, and other contemporary journals, bespeak the veneration and the profound grief of the French and Creole element of the population of this city for the dead hero, and prove that they were but little shared by the American and English speaking citizens. Governor Claiborne in an official letter written as early as the year 1809, stated that the Louisiana Gazette, as well as some other journals of this city, were not interested in the success of Bonaparte, but manifested a bias in favor of England. This sentiment must evidently have persisted in New Orleans even after the demise of that hero, Napoleon, despite the intervening war between this country and England, and the defeat of the latter at the very portals of this city.

It is from the pen of Alexis Daudet, writing under the nom de plume of "Feuilleton," in the Louisiana Gazette, that we are able to glimpse at that historical ceremony. I hope that I may be permitted to digress, because it is not irrelevant to say a few

words concerning that distinguished writer, who so faithfully recorded the details of this celebration, and who graced the columns of the Louisiana Gazette with his many contributions animadverting upon the politics, the society, the amusements and the sanitary conditions of this city, and whose writings were so eagerly read by the French speaking population. He was a native of Paris, and in 1807 came to this city as a distinguished comedian with a troop of actors, who displayed their talent for the edification of our forefathers, on the stage of the only theatre in this city at that time. He then became editor of a weekly paper, "*La Lanterne Magique*," which by his wit, and his innate ability to write in a light so ridiculous that kept his readers in constant good humor, made that small journal very much in vogue. The editor of the Louisiana Gazette recognizing the literary ability and the exceptional good judgment of Daudet, retained him for a daily contribution in his journal which was written under the cognomen of "*Feuillton*."

La Lanterne Magique was a weekly French and English paper which made its début in October of 1808. Only one issue of this journal is known to be existing today, it is the issue of November 20th, 1808, in the Wisconsin Historical Library. Speaking of this journal, Governor Claiborne said: "It is the vehicle of the most vulgar abuse of the officers and friends of the government, and it is edited nominally by a Frenchman of the name of Daudet."

Daudet died on the 25th day of June, 1823. His demise was quite a loss to the journalism of this city, because it is from his columns that the greatest amount of information can be had relative to the period in which he lived here, for the journals of that time were devoid of news of local interest. These few words taken from the notice of his death, characterizes the man: "He was a wit and a lover of repartee, fond of a jest, and to nothing so much an enemy as to wordly thrift."

The following graphic description is from his pen, written by him in French, in the Louisiana Gazette of December 21st, 1821:

NAPOLEON

"Never has a larger audience ever assembled in the temple, and perhaps never religious decorum, inspired by the place, the motive and the ceremony, has been more seriously observed.

"What lured these citizens of all classes, the amiable sex, the children, the aged? What obligated them to enter these sacred portals? It was the urge to pay homage to the memory of a great man, a homage rendered two thousand leagues from the soil of his exile where he terminated his glorious days."

He stated that a vast multitude participated in the funeral procession, and that marching, side by side, were the modest artisan, the man of position, the rich, the poor; all animated by the same thought and preoccupied with the same purpose. Occasionally a few participants in that cortege, decorated with the star of honor, warriors who shared with that great leader the perils leading to glory, were singled out with veneration.

The imposing atmosphere within the Cathedral inspired painful, although consoling, recollections. Daudet tells us that the greatest order prevailed during the ceremonies and that it seemed that every participant had resolved to co-operate in that funeral service, and to add to the unprecedented remarkable dignity of the occasion.

The cenotaph, placed in the main aisle of the Cathedral, which commanded universal admiration, was considered the masterpiece of that great artist, Fogliardi; it is described as follows by Daudet:

"In bold relief on the base of the cenotaph were figures representing the arts and religion in tears. Immediately above there was an allegory symbolising the muse of history ordering a genius to engrave the immortal deeds of Napoleon, which had already recorded the capture of Toulon, the first epoch of Bonaparte's glory. This beautiful tableau was draped with the imperial mantle, and was surmounted by the sceptre, the hand of justice, the crown, and by the imperial eagle hovering above them all, appearing as if it was again offering its protection. A crown of laurel was supported by two cherubs,

and the monument was topped with a cinerary urn. An ancient tripod stood at each corner of the catafalque, and the mosoleum was draped with a crape held by golden eagles. The banners and the flags, which were triumphant for such a long time, added to the beauty of that work of art, and recalled glorious reflections."

The inscriptions on that catafalque, beautiful exemplars of the suppressed emotions, and symbolic of the reverence and the love of a people of a foreign city for that great leader are best recorded in full originality and in the language in which they were written. On the right side of the cenotaph appeared the following inscription:

Sous un saule étranger repose
Ce guerrier qui conquit et Thebes et Memphis,
Et dont l'Europe un jour fera l'apothéose
Sous la colonne d'Austerlitz.

And on the left side:

Albion! Albion! quelle page sanglante
Tu viens de préparer a l'immortel burin!
Il t'accuse, il te presse, et de sa voix tonnante
Te demande un héros dont tu fus l'assassin.

A third inscription was the words of the Emperor himself, pronounced on the twenty-eighth of December of the year 1804:

Soldat, général, premier consul, je n'ai, jamais eu qu'une
pensée, empereur de même: les prospérités de la France.

The music for that solemn high mass was composed by Mr. Cheret, and was sung by the artists of the théâtre d'Orleans. Reverend Father Antoine de la Sedella officiated, assisted by the curates of the parishes of Terre au Bouef, and of St. John the Baptist. The orator of the occasion was Mr. Canonge, and it is very unfortunate that a copy of this historical panegyric by such a distinguished orator is lost to us today. At it was usually the case on all occasions of this character, a collection was taken in the church by the ladies of the congregation, for the benefit of the poor of the city.

I cannot conclude this brief paper without adverting to the thoughts which must be in your minds tonight, as they are in mine. Over one hundred years ago, New Orleans honored herself by the solemn ceremony which she inaugurated to glorify the memory of that great hero, but what a different story would it have been if through the devotion and heroism of our forefathers, our city been the host and the protector of the living conqueror, the man cast in heroic mold, the greatest military genius of all times, Napoleon Bonaparte.



LOUISIANA'S DREAMY BAYOUS*

By Evelyn Soulé

New Orleans

A MIRROR of southern skies; that is a Louisiana Bayou! A witching stream in its tranquility and shimmering softness, it reflects oak-leaves curtained with moss; and willow, the leaves of which sometimes touch the water in long, silken fringes, as a Spanish shawl would caress the velvety shoulders of some Creole lady.

Oddly enough, the bayous of Louisiana are little known to the outside world. Strangers mistake them for tiny rivers, or artificial lakes, or canals. A Louisianian wonders . . . how can they? That exquisite pastoral sketch of simplicity, curves and sparkles, which is always a tonic to nerves that are tired, and an ecstasy to hearts concealing a penchant for romance! A bayou is unlike a river in that it flows from a larger body of water and not into it. The early French explorers considered this fact very odd and decided that they should give those calm streams some new name. The word *boyau* (or English "bowel") was given them. The explorers considered them the remnants of what were once independent streams which had become connected to larger bodies of water through some land changes.¹

The author's novel derivation of the word "bayou" tempted us to discuss the subject with Dr. William A. Read of Louisiana State University, whose studies and printed works on Louisiana Place Names have long since established his reputation as an authority on those names. He says:

"The word *bayou* is not a corruption of French *boyau*, but is an adaptation of Choctaw or Mobillian *bayuk*, 'creek,' 'brook,' 'river.' In 1699 Pénicaut says: 'A cinq lieues plus loin, en tournant toujours à la gauche sur le lac, on trouve une eau dormante, que les Sauvages appellent Bayouque' (Margry, V, 385). The maps of De l'Isle, Charlevoix and Du Pratz record the form *bayouc*; Ross has *Bayouc* (1765); and Pittman, as late as 1770, retains the final *k* of the Choctaw or Mobillian source. The spelling *bayou*, with loss of the earlier *k*-sound, did not become popular until the beginning of the nineteenth century.

"Perhaps no greater pitfall exists for the unwary linguist than that which is provided by the two words alike in form but dissimilar in origin. Thus the Choctaw word for 'boat' is *peni*; and assuredly one is tempted to connect it with French *péniche*, which is also the name of a kind of boat. Nothing could be farther from the truth, because *péniche* is of Latin origin, whereas Choctaw *peni* belongs to the Muskogean stem from which have also descended the Chicasaw *peni*, the Hitchiti *pili*, and the Seminole diminutive *pilodshi*. Again, the curious name *Calcasieu* is said by some Creoles to be the equivalent of French *quelques choux*, 'some cabbages,' but it is in fact derived from Atakapas *katkosh*, 'eagle,' and 'yok,' 'to cry,' 'Crying Eagle' being the war-tittle of an Atakapas chief. Similar misleading resemblances abound in the domain of language."—Ed. La. Hist. Qy.

*A paper read before the Louisiana Historical Society, 1928.

To a rural Louisianian who loves tradition and history, the bayous are as important to him as a cup of dripped coffee in the early morning. There, in those still waters, all of life's events have been reflected; joy and sorrow, peace and struggle, adventure and the daily routine of earning a simple livelihood by fishing. To see a bayou rightly is to extract many pages from a Louisiana history. In an hour of relaxation let us turn back the pages . . .

Bold Jean Lafitte, the intrepid pirate, knew every twist of those winding streams, knew them blindfolded. He also realized well that they were decoys for unsuspecting foreign ships—and they stood him in good stead. Lafitte, merciless to men, brutal to traitors, and yet loyal to France, and courteous to women!

There is Bayou Teche, the Beautiful, which Longfellow immortalized in his famous epic, *Evangeline*. Bayou Teche is a masterpiece of chaste artistry; its beauty is drowsy, and tinted with pastel shades. It gives an atmosphere of good. It lies westward from New Orleans.

In the old days the Indians founded peaceful villages along the banks of the bayous, where they felt security from the ravages of floods, and were contented in the gifts of fish that the bayous generously offered. The Frenchmen were naturally polite and the Indians liked them, but the French language was an enigma to them; they found it most difficult to pronounce (which happens to others besides Indians) and in attempting to say "boyau" said instead, what sounded like "ba-you," and the Spaniards who later settled in Louisiana adopted the same expression. The corruption of the word "boyau" has a musical sound, and Louisianians soften the "a" to make it more pleasant to the ear, so that "bayou" is, to them, as delightful a word as the palatable Creole "gumbo."

Today the banks of the bayous are dotted with villages of fisherfolk, who often live and die without ever having powdered their "brogans" with the dust of cities. "Brogans" are heavy shoes, with soles as thick and as durable as those of an elephant. There are growing towns to be found along the banks of some of the bayous as well as prosperous plantations, where the master is still the courteous gentleman of education; his residence the ante-bellum mansion, half hidden away from the world by the foliage of magnificent oak trees, cypresses and oleanders.

Through his backyard the bayou flows, and the atmosphere is soothing. And there are, too, honest-hearted farmers, who raise cucumbers, corn, cabbage, cauliflower and a lot of other "cs"—(children, cows, chickens)—and who speak a patois French and a queer English, and who are sincere and quaintly interesting. You still hear them cry "Vive la France," although they have never wandered farther from home than maybe to New Orleans.

Once in a while, the stillness of the stream is disturbed by a shrill cry. A fisherman has seen, he is sure, the dark form of an alligator! Sometimes it is true; often it is fancy, but generally it turns out to be only a bulky log floating about.

New Orleans has its own famous bayou, the Bayou St. John, named after the patron saint of the French. On its banks, and in the cool shade of a giant tree, *Sieur de Bienville*, the founder of New Orleans, landed in 1718. There he conferred with the Indians, and sent *coureurs* to ascertain how far distant the river might be. Soon afterwards he led his men to the river front and New Orleans began to exist in what is now known as the *Vieux Carre*.²

In the olden times Indians were preached to and christianized on the banks of Bayou St. John. The loquacious old oaks became open-air cathedrals, and the water was a flare of color from Indians and canoes. One of the greatest love stories I have ever heard of or read spread its gossamer threads of romance over New Orleans' little bayou . . . that of a Russian princess and a French cavalier. I should love to tell it to you some day. And on the banks of the same beloved stream, there still stands the Spanish Custom-House, built in the latter part of the eighteenth century. It is the home today of a lady of great versatility, who has wisely left the earmarks of a glorious yesterday untouched; and as one steps inside of the wrought-iron gate, the Creole Days of New Orleans are reincarnated, and a kaleidoscope of color from an old-fashioned garden nods a welcome.

The eyes of great men have watched the setting sun miraculously turn the bayou water into wine-red, which might have intoxicated them with dreams. There were praises from that man of royalty, Louis Philippe of France, praises of the simple loveliness of Bayou St. John; and there were the brave General Jackson, and the turbulent-hearted pirate, Lafitte, who, it is

²We are not as sure of this, as the author seems to be, but it would be invidious to cavil when the theme is so resplendent.—Ed. La. Hist. Qy.

whispered, conferred with the general in a lonely house near the bayou, when the pirate-gentleman, in a mood of reformation and inspired by patriotism, offered his men and himself to Jackson . . . How bravely they later fought in the Battle of New Orleans!

One cannot help dreaming on the bank of a bayou on a moon-dusted night, when the water is a mirror of heavenly things, and the serenity of a few straying clouds are sunken in its depths. Here and there a voice, always subdued; the sleepy tinkle of a church bell; the splish-splash of a shadowy canoe! Bayou St. John in the heart of New Orleans!

And on other bayous history is always repeating itself . . . adventure, intrigue, simple contentment, the gliding of a pirogue (little skiffs that love to capsize!)

Then, when one has seen a bayou in autumn . . . a vista of lavender and gold from floating hyacinths! The boatmen curse and look fierce but the lips of the cynic surrender and laud the beauty of a Louisiana bayou. The peace of it, the grace of it the lazy calm of it, and the other food it gives besides fish . . food for dreams!

EVELYN SOULÉ.



LOUISIANA POLITICS, 1845-1861

(Continued from January, 1930.)

By JAMES KIMMINS GREER, B. A., M. A.

CHAPTER X

LOCAL POLITICS IN 1857 AND THE FAMILY QUARREL AMONG THE DEMOCRATS IN THE THIRD CONGRESSIONAL DISTRICT

DEMOCRATIC enjoyment of the fruits of the victory of 1856 was interrupted in January, 1857, by Governor Wickliffe's message to the Legislature. His summary of the State's affairs brought to mind the fact that the American party was not quite extinct,¹ and that some important State political campaigns were on the year's calendar. Some important local legislative measures also were to arouse sharp attention. The issues arising from the proceedings of the Legislature will be considered before discussing the canvass and State elections of the year.

Early in the session of the Legislature, a bill was introduced into the House which at once aroused partisan feeling. The bill which was entitled "An act relative to Legal Advertising in New Orleans," passed to the Committee on the Judiciary without attracting more than average attention. The Judiciary Committee reported the bill, which provided that all legal advertisements in Orleans parish must be published the required number of times in the official paper, which, of course, would give an additional source of profit of much value, and would increase circulation of the paper. At once the bill was objected to as a partisan measure, and debate on it began.² The chief arguments offered against the printing bill were that it created a monopoly and that it was a partisan measure. Substitutes offered were voted down and attempts to have the bill recommitted shared the same fate.³ Some few Democratic members broke from the party ranks and opposed the measure as one which was un-Democratic in that it forced the people of New Orleans to contribute patronage sufficient to keep up the paper. The bill passed the House

¹See discussion later in this chapter.

²*Daily Picayune*, February 1, 1857.

³*Ibid.*

by a vote of 33 to 29. The Senate voted eleven to eight, with some members absent, to lay the bill on the table.⁴

The organ of "progressive Democrats" now accused the regulars of renewing the ill-feelings, which were on the point of dying out, by the introduction of the printing bill; and declared that just as the arrogance of the democracy had caused the birth of Know-Nothingism, that same Democracy in the Legislature was "out-growing" its "pantaloon" and was sure to lose by purely partisan measures.⁵ This journal of the disappointed Democrats—the Young Americans of the recent Presidential campaign—charged the *Courier* with vanquishing its own measure, the printing bill, by its violent and absurd tones. On the other hand, the *Courier* accused the *Delta* of having been "bought and sold" in the recent canvass and consequently of trying to break up the Democratic party.⁶

Property-holders and tax-payers of New Orleans felt that their interests had suffered for the past several years, due to violence and misrule, and proceeded to memorialize the Legislature for aid. The memorial read:

To the Senate and House of Representatives of the State of Louisiana:

The memorial of the undersigned citizens of New Orleans, respectfully represent—That the state of disorganization and misrule which has existed in this city for years past, has obtained for us an unenviable reputation, and calls imperatively for the legislative interposition of your honorable bodies. The depreciation of real estate, the withdrawal of capital, the retardation of increase of population, the degeneracy of morals, the prevalence of official corruption, are among the blighting effects of our system of municipal government. We need reform, actual, radical reform, in the entire system . . . (We therefore pray) . . . that your honorable body will enact a law, so modifying the present provision of the city charter, as to provide that the electors at municipal elections shall only be those who own a certain amount of property in the city, or who, by the payment of licenses, taxes, &c., contribute to the support of city government.⁷

But the memorial was open to objections. In the first place, it created an exclusive class composed of property holders and

⁴*Daily Picayune*, February 5, 1857.

⁵*Weekly Delta*, February 8, 1857.

⁶*Ibid.*, February 15, 1857.

⁷*Ibid.*, February 8, 1857.

tax payers, which would hardly be allowed to be created by the people of the city. Second, further legislation was believed to be useless with plentiful existing laws which were not enforced; and, lastly, an act of the Legislature would not necessarily secure protection for a group of people to vote, who had not defended that privilege the last two or three years⁸.

On March 1, an election bill providing for the placing of elections of New Orleans in commission was passed by the House of Representatives by a vote of 36 to 19. There were thirty-three sections to the bill. A clause in "Section 3" provided for three voting places in the Seventh precinct instead of only two, and divided the voters into three alphabetical groups. Sections sixteen and seventeen included penalties for fraudulent voting, intimidation, violence, destruction of votes, etc., by State Penitentiary sentences and permanent deprivation of suffrage privileges.⁹ The eighteenth section provided for a "Superintendent of Elections," who should have to be a resident of the State for four years, who should be appointed by the Governor, and have a salary of \$3,000 per year, one-half of which was to be paid by the city. The press of the city opposed the bill and condemned it as insulting to a large part of the citizenship, despotic, and obnoxious in general.¹⁰

There was no guarantee to the people that the Superintendent would not be a politician. He would be clothed with arbitrary power, such as having arrests made without giving explanations at the time as to the cause of the arrest. Another odious feature to its opponents was that which allowed the Attorney General twenty per cent of the money collected from persons convicted.¹¹

Proponents of the bill argued that the measure would relieve the people from the necessity of taking the law into their own hands. Allusions were made to violence during the recent elections in New Orleans, and the country members of the Democratic party seemed to be consistent in their efforts to release their "shackled" fellows in the city.¹² But the opposition rejoined that the outrages in New Orleans were overdrawn, and that the bill was really a political "engine."¹³ A Senate caucus on the night

⁸*Weekly Delta*, February 8, 1857.

⁹*Ibid.*, March 1, 1857.

¹⁰*Daily Picayune*, February 26, 27, March 1, 1857.

¹¹*Weekly Delta*, March 1, 1857.

¹²*Daily Picayune*, March 2, 1857.

¹³*Ibid.*

of March 2, killed the bill and substituted in its stead a bill drawn by Representative St. Paul, which provided for a plural commission and omitted the "military section."

Thus the "army bill, *alias* the New Orleans election bill," was killed in the Senate. It cannot be a great error to suggest what is probably obvious in regard to the defeat of this election bill. It was an effort of the Democrats to get control of the city, and naturally, the remnant of the American Party was glad to see it strangled. Moreover, the creation of an election system by the regular Democrats could hardly have been a pleasing prospect to the "Young Americans." Finally, the commercial classes of all parties no doubt wished to see agitation on such subjects quieted, as past turmoil had discouraged tourists from visiting the city, with a subsequent loss of business. As the St. Paul measure failed, it need not be discussed.¹⁴

By the middle of March, a new election bill passed both Houses. It contained a milder form of the "army bill," which provided for the calling out of the standing army, and made the penalties for disobedience of this law discretionary instead of fixed as in the old measure.¹⁵ But the Old Whig papers and the "independent" journals were not mollified, and either condemned the new bill or predicted that no good results would come from it.¹⁶

Before discussing the State political campaigns of the year, reference should be made to a problem of increasing importance to Louisiana, as to the whole South—that of the negro. Governor Wickliffe's message to the Legislature in January, 1857, called attention to the need of legislation to prevent the immigration of free negroes into the State. This was an evil, and for years the numbers had been increasing. He recommended that prompt steps be taken to remove, as soon as it could be effected without violation of the law, "all free negroes who are now in the State."¹⁷ Association of the free negroes with the slaves was harmful; and

¹⁴For brief summary of this bill, see *Daily Picayune*, March 8, 1857. Public interest in the "army bill" was revived when the *Picayune* claimed that it had found the source from which that measure had arisen. Resolutions of the House to the Attorney General, Moise, had requested that he forward to the members of that Body his views as to "the best mode of preventing riot and bloodshed in the city of New Orleans on election days." The reply of the Attorney General recommended that an armed force, under the command of State officers, should be stationed in the city on election days, which would be equal to any emergency demanded of them.

¹⁵*Ibid.*, March 13, 1857; *Acts*, Second Session, 1857, No. 289, p. 275.

¹⁶*Daily Picayune*, March 13, 1857; *Weekly Delta*, March 22, 1857.

¹⁷Quoted in *Weekly Delta*, January 25, 1857.

masters evidently required a more stringent law to prevent them from allowing the slave to hire his own time.

Some of the people believed that the whole black code¹⁸ of the State needed to be revised, and stern precautions taken to prevent foreign tampering with slaves.¹⁹ As for the rights of free negroes, the State's laws protected the free colored in property and in person as it protected the whites, with the exception that the colored could not vote nor hold office.²⁰ On the whole, however, the subject of "negroes" received only minor discussion in the politics of the day.

Another subject which was of inherent but only intermittent interest, which should be treated here, was that of the Southern Conventions. Some six or seven Southern Commercial Conventions had been held in the South, beginning with the Memphis meeting and continuing to this time—1857. Only a minority of Louisiana had been interested, and only a few participated because "the former sittings of the Southern Commercial Convention were rendered childish and nugatory by the presence of mouthing lawyers and professional politicians."²¹ Now the adjourned meeting of the Convention, to be held at Savannah on December 8, 1856, was declared to be one of real importance by the *Delta*, a critic of the former meetings, because one question of major interest to be discussed was that of direct trade from New Orleans to Liverpool and Havre.²² So because of the significance of such questions to New Orleans, the same paper suggested that the Mayor and the Governor carefully select the delegates to the meeting.

The Savannah Convention was well attended, but politicians were largely in control. Similar conditions prevailed at Knoxville, at the next Convention, held in August, 1857. J. D. B. DeBow, formerly of South Carolina and now of New Orleans,

¹⁸Bienville promulgated a Black Code in 1724, which remained in effect until 1803. In 1807, the Territorial Legislature passed an act prohibiting free negroes, etc., emigrating to Louisiana. In 1853 the slave laws were made more stringent, but evidently not sufficiently so.

Many free colored had entered Louisiana from Haiti during the insurrection there against the French. Humanitarian feelings caused the authorities to allow them to enter the City. While most of the free negroes were those liberated by masters because of sentiment, many free colored of New Orleans owned slaves and feared emancipation "would submerge them in the great black mass." For this last statement, see Phillips, *American Negro Slavery*, 436.

¹⁹*Daily Picayune*, January 4, 1857.

²⁰*Bee*, April 5, 1857.

²¹*Weekly Delta*, November 9, 1856.

²²*Ibid.*

was chairman. He made a rather radical speech, which tended toward disunionism, and stated that although the Convention had not accomplished its original purpose by securing the construction of railroads and steamship lines, it had aroused the people to the need of such things.

But the Conventions tended to become devoted more to political discussions and attendance by the more conservative business men practically ceased. Yet the *Picayune* of May 20, 1858, stated that Southern Commercial Conventions had caused the people to realize the importance of commerce, necessity of manufacturing in order to secure local independence, and that internal improvements would finally result in the growth of the Southern seaports.

As the opening of Buchanan's term of office approached, the advocates of a Southern party continued and enlarged upon their prophecy that after Buchanan's term would come "the deluge" and warned that the South should be ready for it.²³ But the conservative Democrats saw in the flattery of the Know Nothings by the Southern party men, an effort to unite undecisive Democrats and Know Nothings, for the Whig organization was as a "mummy," into a new party composed of "Secessionists and Factionists" with questionable purposes in mind.²⁴ In turn, the promoters of the Southern party claimed that their visible growth was causing the "old stage-coaches of politics" to become "shaky."²⁵

In March, names of federal appointees for New Orleans were published in the local papers, and the American party predictions²⁶ that John Slidell's friends would secure the positions was confirmed. And, when Governor Walker was appointed to the governorship of Kansas, the ultra Democrats of the State held that he was being groomed for the Presidency, or that Walker was planning the succession himself.²⁷ At any rate, "the South should cut loose from the Administration," because "the Union is a snare and a delusion, and modern patriotism is

²³*Weekly Delta*, February 15, 22, 1857.

²⁴*Ibid.*

²⁵*Ibid.*, February 22, 1857.

²⁶*Weekly Gazette and Comet*, March 16, 1857. *Weekly Gazette and Comet*, Baton Rouge, January 26, 1857. The *Gazette* and the *Comet* had combined, and announced that an effort would be made to "make the 'Gazette and Comet' a fair exponent of the doctrines of the American party, and give to them its best support." The *Comet* had been "Independent," the *Gazette* "American."

²⁷*Ibid.*, May 24, July 5, 1857.

a farce."²⁸ Naturally, the conservative Democrats resented the holding of Buchanan responsible for the acts of Walker.²⁹

Elections for State offices easily overshadowed all other political activities of the year. The preliminary campaigns began early in the spring. The first which are worthy of notice were in northern Louisiana. John Slidell visited with Colonel Sandidge in the latter's district, the Fourth, and the political enemies of Slidell reported that plans were being made for the election of Sandidge to the Senate.³⁰ The belief advanced was that the two men were good political friends, and that Slidell was preparing to reward the loyal Sandidge with Benjamin's position, as he was supposed to be intending to retire at the close of his term.³¹ The same critics that hopefully predicted that Slidell's vaulting ambition might overleap itself and his candidate be defeated while he, at the same time, would be prepared for shelving.³²

The State Democratic Convention was held at Baton Rouge on the 18th of May. R. A. Hunter, of Rapides, was nominated for State Treasurer, E. W. Robertson of Iberville, for Auditor, and W. I. Hamilton of Natchitoches, for Superintendent of Public Education. In accordance with a resolution passed at the convention, the Democratic State Central Committee, consisting of nine members, was appointed in June.³³

On June 8, the American State Convention met at Baton Rouge and nominated their State ticket. Twelve parishes were not represented. Frank Hardesty, of East Feliciana, was selected to run for Auditor, Jas. W. Walker, of St. Mary, for Treasurer, and Wm. A. Lacy, of Caddo, for Superintendent of Public Education. After the State Convention adjourned, the First, Second and Third congressional district conventions were held to select American party candidates for Congress. From the First District, George Eustis, Jr., present member of Congress, was nominated. Glendy Burke, of New Orleans, was selected by the delegates from the Second Congressional District, and G. W. Watterson, of Livingston, received the nomination in the Third District.³⁴ The chief resolutions condemned the misrule of the Democratic party in the government of the State, and provided

²⁸*Weekly Delta*, July 26, 1857.

²⁹*Courier*, August 23, 1857.

³⁰*Bee*, May 3, 1857; *True Delta*, May 3, 1857.

³¹*Ibid.*

³²*Bee*, quoted in the *Weekly Delta*, May 3, 1857.

³³*Weekly Delta*, June 21, 1857.

³⁴*Weekly Gazette and Comet*, June 15, 1857; *Weekly Delta*, June 14, 1857.

for the appointment of a State Executive Committee. The committee consisted of a chairman, treasurer, twelve members in the city of New Orleans, and one member from each parish in the State.³⁵

Until this time, the efforts of the few Southern Rights agitators had met with no active response. A movement made in one community in this direction, may be sketched here to show its nature, although it came to naught. On June 10, a large number of citizens met in Plaquemines, following the adjournment of the District Court, and proceeded to plan for a Southern Rights organization. All old party names and slogans were to be repudiated "for Southern Rights under the Constitution." The resolutions provided for: ignoring of political differences and uniting for the purpose of maintaining Southern Rights, terming themselves "Constitutionalists;" and another meeting on July 4th at Pointe á la Hache to establish a platform.³⁶

One city paper³⁷ declared that no Southern party could be hoped for until the Slidell faction was put out of power. Moreover, according to the same journal, the leaders of the Democracy of Louisiana would submit to almost any alteration of the South's policy in order to secure harmony with the Democracy of the North and thus maintain a national organization of the party.³⁸

By far the most interesting political contest of the year was that between the rival Democratic factions over the choice of a congressional nominee in the third district. The southern rights faction claimed that one-half the delegates to the district convention at Baton Rouge, on June 15, were instructed for A. S. Herron. In the convention the supporters of T. G. Davidson, "old wheel-horse" candidate of the regulars, contested the seats of a number of the Herron supporters, and won over a few others; a number of the Herron parish delegations bolted. Those remaining then nominated Davidson.³⁹

The Soulé or "Young Foggy" journal, the *Delta*, now declared for the "independent and true Democracy" of the Third Congressional District, and a new Convention.⁴⁰ It blamed the inter-

³⁵*Weekly Gazette and Comet*, June 15, 1857.

³⁶*Weekly Delta*, June 28, 1857.

³⁷*Daily Crescent*, October 31, 1857.

³⁸Quoted in *Weekly Delta*, November 28, 1857.

³⁹*Weekly Delta*, June 21, July 26, 1857. The *Delta* was, of course, hostile to Davidson's nomination.

⁴⁰*Ibid.*, June 28, 1857.

ference of the Democratic federal appointees of New Orleans, for the trouble, alleging, that though outsiders, they interfered in the Convention.

Thus the battle was on. While the Herron faction continued to talk of a new Convention⁴¹ to name a candidate not controlled by the old "rule or ruin faction," Davidson began to stump the District.⁴² Some of the bolters from various parishes now proceeded to show that they feared neither Slidell nor the State Central Democratic Committee,⁴³ by calling a meeting for July 15 to nullify and repudiate the proceedings of the Convention of June 15. Davidson at once issued a call for a meeting in the same parish for the purpose of ratifying the "official proceedings."

The anti-Davidson forces were very active as is evident in the numerous parish conventions held to repudiate his nomination, and in a request, which amounted to a demand, by the *Advocate*, the Democratic organ at Baton Rouge, that the *Courier*, the Central Democratic organ, "espouse one side or the other."⁴⁴ On August 31, the anti-Davidson wing of the third district met in convention at Baton Rouge and nominated L. J. Sigur for Congress. It passed resolutions providing for the appointment of a committee of five to call on Davidson and request him to withdraw from the race; and Sigur's withdrawal was pledged in the event of Davidson's.⁴⁵ Davidson refused; Sigur accepted the nomination⁴⁶ on September 6th, and a three cornered campaign, because of the American nominee, was on. Meanwhile, the American party in New Orleans tendered its assistance to the anti-Slidell, anti-Davidson group in opposition to the common enemy. It went so far as to declare that if such men as Soulé, Herron, Perkins, Parham, and others, were placed in authority, the Americans, Democrats, and all, as well as the business interests of New Orleans would be the gainers.⁴⁷ But until after the "reign of King Slidell and his Lieutenants is termi-

⁴¹*Weekly Delta*, July 19, 1857.

⁴²*Weekly Picayune*, July 20, 1857.

⁴³*Ibid.*, July 19, 1857.

⁴⁴Quoted in the *Weekly Gazette and Comet*, August 9, 1857. As for the *Gazette and Comet*, that paper had announced the termination of the connection of W. H. Crenshaw, "American" editor, with the paper, and its new editor, George A. Pike, announced that the paper resumed the independence of the *Comet* before the papers united. See issue of June 15.

⁴⁵*Weekly Delta*, September 13, 1857.

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⁴⁵*Weekly Delta*, September 13, 1857.

⁴⁶*Ibid.*

⁴⁷*Daily Crescent*, quoted in *Weekly Delta*, September 13, 1857.

nated," it was only a waste of time to look for a Democratic party.⁴⁸ The *Plaquemines Gazette*, of Iberville parish, charged that Davidson was nominated by one of Slidell's "first lieutenants," who "directed the forces of the whipt, curish Democracy of New Orleans."⁴⁹

Sigur claimed, of course, his election was certain and that Davidson would hardly carry his stronghold parish—Livingston.⁵⁰ In New Orleans, the American advised the "anti-Slidellians and States Rights Democrats" to vote the entire American parish ticket as their only chance to deal the "Slidell oligarchy" a death blow.⁵¹

In the latter part of June, the Old Line Whigs gave notice of intention to reorganize the party. This, the Whig Executive Committee of New Orleans announced in an address to the "People of Louisiana" which stated that their desire was to stand between the "reckless and partisan legislation" of the Democrats and the "proscriptive tenets" of the American party. As a political body the Whigs had many sympathies with the American party, which they felt had "gone beyond legitimate redress, and become themselves aggressors" under a sense of being injured.⁵² They advocated the amendment of the naturalization laws to protect the country "against undue foreign influence," and of the State's election laws to prevent fraudulent voting. Nearly two hundred Old Line Whigs signed the address,⁵³ which was received respectfully and considerately by the Old Whig papers and flatteringly by the Soulé or anti-Slidell press.⁵⁴

⁴⁸*Daily Crescent*, quoted in *Weekly Delta*, September 13, 1857.

⁴⁹The *Plaquemines Gazette*, September 12, (Democratic, but anti-Slidell), quoted in the *Daily Crescent*, September 16, 1857.

⁵⁰*Weekly Delta*, September 27, 1857.

⁵¹*Daily Crescent*, October 31, 1857.

⁵²*Weekly Picayune*, June 29, 1857; *Weekly Delta*, June 28, 1857.

Nativism was not a new thing in Louisiana. But the large number of Irish emigrants to New Orleans and their prompt entrance into political activity on election day, was used by politicians effectively in their play on racial hatred. Defeats at the hands of the Democratic leaders, made it all the easier for the Whigs of former days to complain with some justice of ignorant foreign voters (Gayarré, *History of Louisiana*, IV, 684), while nativism drove the foreigners into the hands of the rival politician or caused them to seek organizations among themselves to protect, as they thought, their rights. Both great parties had utilized the foreigner politically. But now the Old Whigs realized that the great majority of their file leaders had gone over to the Democrats or had decided to remain with the Know Nothings. The "arrogance" of the Democratic leaders was now reviewed by these Old Line Whigs as the cause of the local Know Nothing party; and the drift of the latter from principles to spoils seemed to offer opportunity to entice prodigals to return from both Democrat and American parties.

⁵³*Ibid.*

⁵⁴*Weekly Gazette and Comet*, June 15, 1857; *Weekly Picayune*, June 29, 1857; *Weekly Delta*, June 28, 1857.

In October, as the time for the election approached, there were indications from the Mayor's office, that the new election law would be disregarded and election inspection officers appointed as usual. But the Superintendent and Commissioners of Election secured an injunction restraining the Mayor and Council from making their election appointments. In turn, the Mayor secured an injunction against the Superintendent of Elections. But the election was near and the law was plainly on the side of the newly created officials, so the Mayor ceased obstructing.⁵⁵

With the exception of the Third Congressional District, and a warmly contested race here and there,⁵⁶ the election campaigns were devoid of the usual excitement. The failure of the people to hearken to the appeals of the politicians was because their minds were largely occupied with the financial troubles of that year, 1857.⁵⁷ The election was quietly conducted, and the vote was small; in New Orleans only one-half of the registered voters of the city exercised the privilege of casting their ballots. New Orleans returned the American ticket victor in all precincts, and gave a majority of 972 votes for Burke, candidate for Congress from the Second District, over Taylor, Democrat. In the First Congressional District, Eustis, American candidate, received 1,777 votes to his opponent's 797. Only about 5,769 votes were polled in the city.

In the Fourth Congressional District, Sandidge won over his opponent by 9,263 votes to 5,205. Davidson secured 4,270, Sigur 2,163, and Watterson, American candidate, 3,512 votes. Official returns gave the Democrats 48 members in the lower House of the Legislature to the Americans' probable 38. One "independent Democrat" was elected from Avoyelles and one Old Line Whig from Vermilion. The Democratic State ticket was elected by a comfortable majority, while a gain of 2,300 votes was secured in Orleans and Jefferson. This vote added to Buchanan's majority of 1,455 in 1856, gave the Democrats a majority in the State of over 3,700, and there was a steady Democratic gain beginning in the country.⁵⁸ The efforts of the

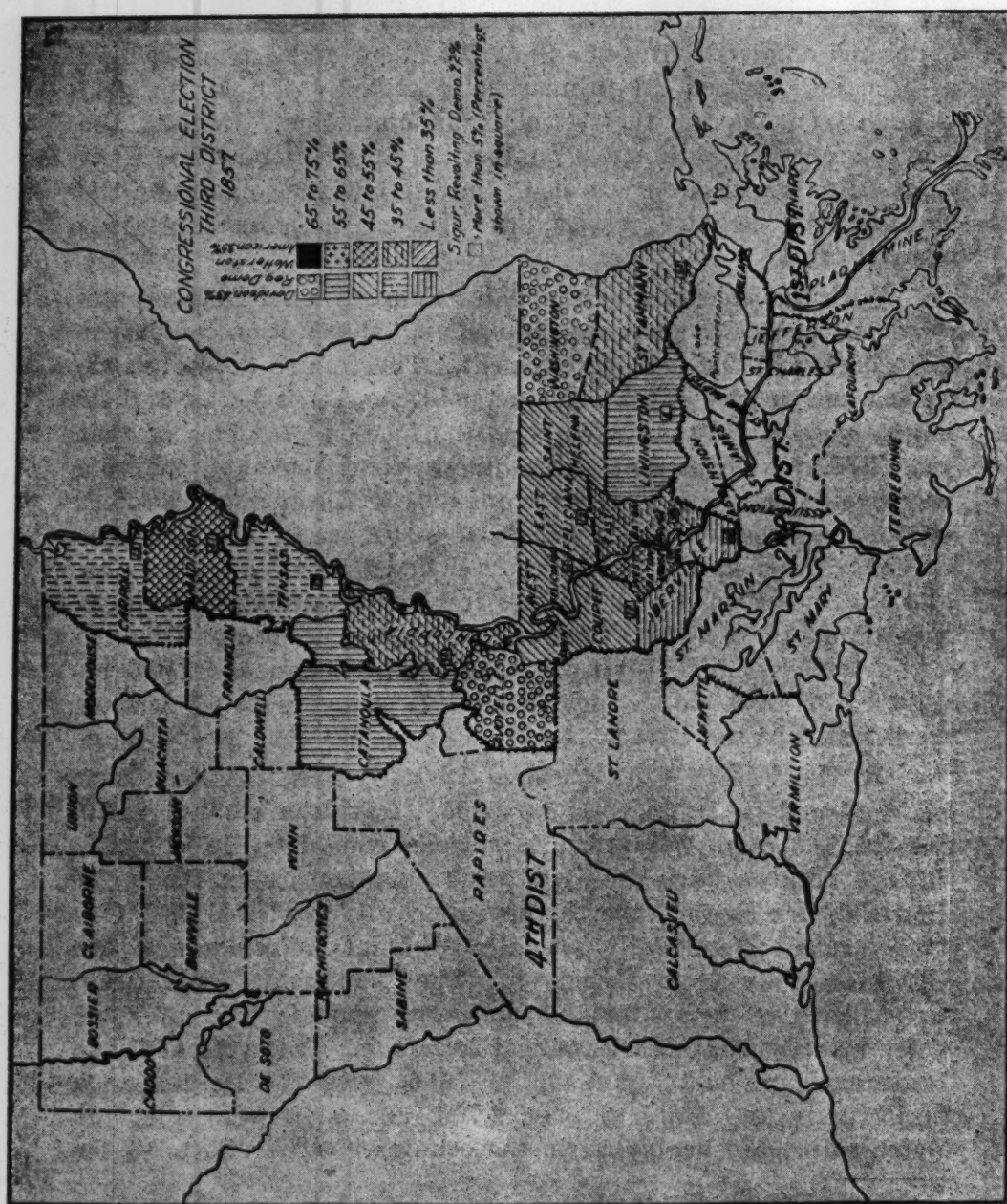
⁵⁵*Weekly Delta*, October 11, 17, 1857.

⁵⁶*Weekly Picayune*, October 5, 1857.

⁵⁷*Daily Picayune*, November 1, 1857.

New Orleans banks maintained the specie standard and the State suffered much less than some others.

⁵⁸*Weekly Delta*, November 21, 1857.



country leaders and the country press largely carried the campaign, although one or two city papers had done some good work.⁵⁹

One discontented country editor hoped that Slidell would accept the mission to France, the rumor of which was being circulated, because "he wields an influence here indirectly (though at Washington) which out-balances the largest vote of the largest party in the State."⁶⁰ This had been the situation ever since the "memorable Plaquemines battle." As for Sigur, the editor darkly opined that he was shelved for Davidson by the chiefs because he was a man who could not "be purchased," while Davidson had previously served in office.⁶¹ But this paper—the *Gazette and Comet*—which had formerly been admittedly Know Nothing, was allowed little rest for a few weeks following the election, because of so many epitaphs for "Sam" contributed to its pages. Certainly, "Sam" seemed quite dead. One piece of Gallic composition on this subject, which appeared in the *L'Union de Lafourche*, began

Adieu, Sam. Bonsoir, que la terre te sait légère. La proscription veillait à ton berceau, Greeley et Seward furent tes parronis, tu es mort de tes blessurers; le Sud u' a pin t' admettre.⁶²

⁵⁹*Weekly Delta*, November 21, 1857.

⁶⁰*Weekly Gazette and Comet*, November 15, 1857.

⁶¹*Ibid.*, November 22, 1857.

⁶²Quoted in the *Weekly Gazette and Comet*, November 29, 1857.

CHAPTER XI

THE LAST STAND OF THE KNOW NOTHINGS IN THE MUNICIPAL ELECTIONS OF 1858

ALTHOUGH 1858 was an off-year in state politics in Louisiana, the municipal elections of the spring in New Orleans afforded much excitement. Douglas's visit to the State while on his tour of the South for the purpose of feeling the pulse of the slave states, together with some speculation as to the next Senatorial election, furnished the spice for the discussion of federal politics during the latter part of the year. The year opened with some interesting legislation on local matters of such a nature as to hold the attention of many in addition to the politicians.

Partisanship had prevailed to such an extent in the halls of legislation for the past several years that practical business for the material progress of the State had been neglected. Bills which had as their objective the changing of majorities in certain parts of the State into minorities, in order to secure the passage of important measures, and the consideration of federal politics, had often consumed much time and energy in both Houses. Several matters, because of their nature, needed the attention of the Legislature. The encouragement of agriculture; the need of measures for safeguarding public health, for opening communication with the interior; the encouragement of capital for trade operation; the revision of taxation; reform in the jurisdiction of the supreme court; continued bounties on ship building; and the fostering of manufactures of wool and cotton were subjects which needed to be considered by the Legislature.¹

On January 20, the Governor transmitted his message to the Legislature. He alluded to the election law for New Orleans by observing that it had not answered the expectations of the Attorney General, who had advocated the use of armed force. He gave particular attention to the panic of 1857, which he ascribed to an undue expansion of credits. He recommended a modification of the banking laws so as to secure a more metallic currency; for the monthly statements from the Board of Cur-

¹*Daily Picayune*, January 13, 17, 1858.

rency had showed a wide difference between the tabular statements of the amount of bank currency and that of real coin. In this connection, the Governor suggested an inquiry into the feasibility of prohibiting bills under the denomination of ten dollars. But he praised the management of the Louisiana banks.

The message gave brief attention to some federal affairs. He advocated the admission of Kansas with the Lecompton Constitution as the one practical way of carrying out "the doctrine of non-intervention;" and he urged the abrogation of the Clayton-Bulwer treaty as necessary for legitimate Southern expansion." He concluded his remarks on federal affairs by asserting the cardinal doctrine of state rights and invoking unity in the South "on all essential topics of national interest."²

Before the election of the Speaker of the House, the Democrats held their usual caucus. Nominally they had a majority of ten, but five men of the Sigur school at first refused to act with the Slidell-Davidson wing of the party. Three of them later came over, and the Democrats were thus prepared to defeat the Americans if they offered resistance. Despite the attitude of the irreconcilable anti-caucus men, the Democrats elected their officers, for some of the American members voted for the Democratic choice for Speaker—W. W. Pugh. Granville Pierce, an anti-caucus Sigur Democrat from New Orleans, then made an explanation of his own and his friends' course during the late campaign, and stated that the dominant wing of the party had made certain concessions to them in the nominations. He then indicated his wish to see the hatchet buried³ by saying that he wanted to be "considered a member of the Great Democratic family."⁴

The next matter of interest to the politicians was the election of a State printer. This place was not only a choice bit of patronage, but was of political importance. Three days later, a caucus, consisting of a majority of the whole House, nominated Taylor, a regular Democrat, one of the proprietors of the *Baton Rouge Advocate*, as the Democratic candidate for the position. There was no effective opposition, and the matter was settled on February 9 by Taylor's election.

²*Daily Picayune*, January 21, 1858.

³*Ibid.*, January 22, 1858.

⁴*Words of Weekly Delta*, January 23, 1858.

The election law for New Orleans came in for attention, but in the end nothing was done. Representative Gray introduced a bill to amend the city election law by abolishing the Superintendent's office, but leaving the appointment of the Commissioners of Election in the hands of the Governor. A substitute measure, the Dreux bill, would abolish the office of Superintendent also, but place the power of appointment of the the Commissioners of Election with the city authorities and the Police Jury for the Right Bank. The Democrats advocated the first amendment, and the Americans the substitute. But on March 14, discussion was terminated by postponing the whole matter "indefinitely" by a vote of 38 to 33. The election law was, therefore, to remain as it was.⁵

Some four measures were introduced which bore on the subject of the free negro population. Representative Gray introduced a bill which left undisturbed the free colored remaining in the State, by permission, or born in the State; other free negroes, mulattoes, and so forth, "found within the State, on and after the first day of January, 1859, except that they have arrived in the regular employment of some vessel . . . shall be proceeded against, and after due course of law, be sold into perpetual slavery."⁶ The proposed act, which became a law, met the approval of the Attorney General and the Committee of the Judiciary on the score of constitutionality; and of others on the ground that it would render slave property throughout the State safer and more valuable.

While this bill was pending, the House adopted a resolution which provided for the appointment of a committee to revise the black code of the State.⁷ Representative Richardson, on March 2, gave notice of a bill to expel all free negroes from the State, "and particularly from the parish of St. Tammany." The proposal was instantly opposed as absurd and unfair,⁸ and nothing came of it; but it was an indication of the feeling of many people toward free negroes, should emancipation threaten. Later, a House measure authorized the importation of 2,500 free blacks as apprentices, but it was killed in the Senate.⁹

⁵*Daily Picayune*, March 13, 17, 1858.

⁶Words of *Daily Picayune*, February 18, 1858.

⁷*Daily Picayune*, February 26, 1858.

⁸*Ibid.*, March 3, 1858.

⁹*Ibid.*, March 17, 1858. This was clearly connected with the idea of reopening the African slave trade and was a means of evading the federal law.

The most interesting political development of the year was the municipal election in New Orleans.¹⁰ In past years, several attempts had been made to remove the elections beyond party influences, for the sake of the material interests of the city, but this was impossible while the State was divided into two great parties. Know Nothingism reached its greatest height in 1855 and then rapidly dwindled to an ineffective opposition, but the existence in New Orleans of a large foreign element, constant arrival of emigrants, and irritation from memories of past years of Democratic machine politics, kept the Know Nothings vigorous until the Civil War. Gerard Stith, one of the city recorders, was nominated for the mayoralty by the American party in its nominating convention on May 25, 1858. Mayor Waterman refused to seek re-election, probably due to differences with party leaders and the criticisms of the party press which twitted him for failure to keep order in the city.

Now a second movement was inaugurated by the "Independent voters of New Orleans,"¹¹ who held a meeting, and appointed a Nominating Committee to select candidates to run on the Independent ticket. This committee addressed a letter to Major G. T. Beauregard on May 20, asking him to become a candidate for the mayoralty on the Independent ticket.¹² The letter was signed by about six hundred citizens, "irrespective of party."¹³ On May 25, Beauregard's letter of acceptance was read to a meeting at the St. Charles Hotel and was earnestly and enthusiastically received.¹⁴ The Independents proclaimed that their nominee's respectability, private character, and "eminence in commercial and professional standing" would "give character and prestige to the ticket,"¹⁵ while the candidate of the American party, however popular, on the other hand, would "be regarded by members as the mere exponents of an odious party regime."¹⁶

On June 4, some five hundred men, under orders of a "Vigilance Committee," took possession of the Arsenal and the Municipi-

¹⁰For a detailed treatment of this subject, see John S. Kendall, "The Municipal Elections of 1858," in *The Louisiana Historical Quarterly*, V. No. 3, July, 1922, 357ff.

¹¹The supporters of Beauregard were composed of defeated candidates from the American party city convention, Democrats who had been impotent against the well organized Know Nothings of the past few years, and a minority of Anti-Know Nothings from the old Whig ranks.

¹²*Daily Picayune*, May 26, 1858.

¹³*Weekly Delta*, May 29, 1858.

¹⁴*Weekly Delta*, May 29, 1858; *Daily Picayune*, May 26, 1858.

¹⁵*Weekly Delta*, May 29, 1858.

¹⁶*Ibid.*

pal Court and Jail at Jackson Square, with the view of freeing the city from the ruffians and "Thugs" which had for some time infested it.¹⁷ The Vigilance Committee had been organized three months to accomplish this purpose.¹⁸ As late as eleven o'clock various addresses were made from the steps of the City Hall, by the opposition forces, urging organization to attack the forces of the Vigilance Committee at noon on the next day. Shouts of approval greeted the appeals, and finally a small group was organized by Justice Bradford which took possession of the cannon on the squares. Guards were posted at the different approaches to the City Hall.¹⁹ Above Canal Street a few demonstrations were noticeable during the night.

The situation was full of danger. Finally a compromise was effected between the city authorities, the citizens, and the Vigilance Committee; and terms were drawn up, signed by representatives from each of the three groups, and published. Mayor Waterman for the city, M. O. H. Norton and C. Fellowes for the citizens, and J. K. Duncan,²⁰ the President of the Vigilance Committee signed the agreement. The citizens of the Vigilance Committee were made a part of the police force under the Mayor and the Superintendent of Elections to preserve order, "and secure the original objects of its organization."²¹

Next morning there were found posters in the streets of the First District, signed by Colonel Christy, which invited all good citizens to meet him at noon on Lafayette Square, where he would lead them in an assault on the Vigilantes. But he later withdrew the posters, claiming they had been distributed while he was under a "misconception of the true state of affairs."²² The quarters of the Vigilance Committee were still guarded on the morning of the 5th, but not so strictly. Meanwhile, Recorder Stith was swearing in special policemen, under

¹⁷Politics were not mentioned—order was emphasized. However, animosities between the Democrats and Know Nothings during the previous year, the attitude of General Lewis, Democrat, and Mayor Waterman, liberal Whig, (and popular with the labor elements of the city), the composition of the Vigilantes—Irish, Germans, and Creoles, and the ousting of the hated machine politics of the Democrats after 1854, with the consequent persecution of the polls, and so forth, all point to the existence of partisanism.

¹⁸*Daily Picayune*, June 5, 1858.

¹⁹*Ibid.*

²⁰Duncan had only recently returned from Nicaragua where he had been serving under William Walker, the filibuster.

²¹For the terms of settlement see *The Daily Picayune*, June 5. The words quoted are those of the *Picayune*.

²²*Daily Picayune*, June 5, 1858.

authority vested in him by the Mayor. These officers were to be placed under the direction of Justice Bradford during the election. The old police force continued their customary duties.

Excitement was not confined to the city, but the entire State seemed to be awaiting the outcome of affairs in New Orleans. One town paper declared that the evils existing in New Orleans were not local, but were of general growth.²³ However, Mayor Waterman's vacillating policy came in for much criticism, from the same source. "He lacks nerve for an emergency, where muscle is wanted," stated the *Gazette* and *Comet* of Baton Rouge. But Waterman may have been trying to avoid bloodshed. Business was being injured, and much pressure was being brought to bear upon him from various sources. The facts are hard to get at.

The election passed quietly.²⁴ Several thousand voters did not cast their ballots.²⁵ Stith was chosen mayor and nearly the entire American ticket was elected. One city paper assigned three main reasons for the defeat of the Independents. In the first place, Major Beauregard voiced his political views while running on a non-political ticket; second, there was a need of an efficient executive committee to see that all booths had tickets at the opening hour; third, an impression reigned that the polls would be kept open until sundown and their closing cut off many votes from the merchants.²⁶ Still it was believed that the "city dynasty" had had its last success.

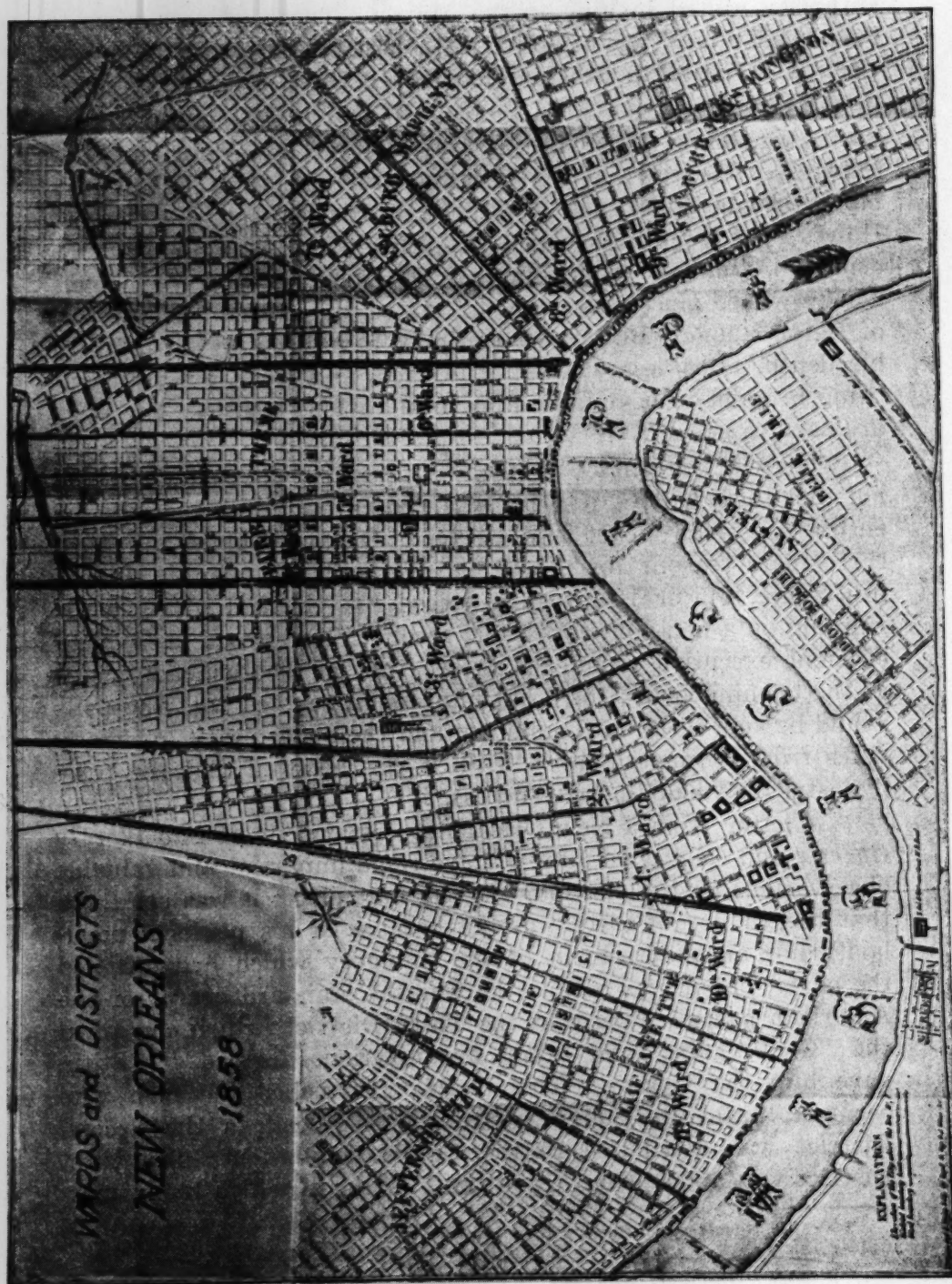
A letter from a New Orleans correspondent of *The Weekly Gazette* and *Comet*, on June 9, gave some impartial and valuable observations on the election. In the first place, it was set forth that the victory of Stith was not because of his personal popularity nor an endorsement of the thuggery which had afflicted the party, but it was because he was the standard bearer of the American party. Moreover, the Third District, which contained the "Goat Clubs" and other organizations formed by Stith, gave him the victory. This quarter furnished the men who occupied Lafayette Square. Beauregard's lead in the Second District was attributed to the Creole population. The First District was about even, while the Fourth, in which many mer-

²³*Weekly Gazette and Comet*, June 13, 1858.

²⁴*Daily Picayune*, June 8, 1858.

²⁵*Weekly Delta*, June 12, 1858

²⁶*Ibid.*



chants lived, reported a tie. The mercantile interest favored Beauregard, but a capable campaigner, Ben Harrison, balanced their influence. The work of the Vigilance Committee was a success.

The vote was only above 7,000, but appeals were made for interest in and unity for the new authorities.²⁷ That the crisis had been a real one may be deduced from the *Daily Picayune* of June 8.

On the eve of the election the city was filled with armed men. At night armed patrols, hostile to each other, perambulated the streets, and more than once came to look directly into the faces of each other, with arms at present, hands on the triggers, and momentarily expecting the command to fire . . .

Judge Hunt of the First District Court, informed the Grand Jury that the action of the Vigilance Committee was in violation of the law and revolutionary, and recommended that its members be prosecuted. The Judge's action was criticized, although it was realized that he thought he was carrying out his duty, and no demand by the public sustained it.²⁸ Police matters were quiet enough for some months, but the busy fall season brought strangers and additional crime. The mayor's request for the usual increase of the number of police was delayed, and there were threats of a revival of action by the citizens unless the council acted.²⁹ The threat did not materialize. The almost united press of New Orleans aided in efforts to suppress the disorder which had previously reigned.³⁰

²⁷*Daily Picayune*, June 10, 1858.

The Vigilance Committee did not enter the Fourth District, and yet the vote there was a tie. Such a result, where no disturbances occurred, (*Daily Picayune*, June 6, 1858) suggests that the absence of intimidators and threatened violence would have resulted in more votes being cast by the opposition in the first three districts. The American party had won for some time, and continued to win the city elections until the Civil War. The violence of previous elections, and fear of rival groups of armed men tended to keep men away from the polls. It does not follow, however, that the result of the election indicated that a majority of the voters were opposed to the Vigilance Committee; it would seem to be safe to suggest that the Americans only cast a normal vote in the usual manner. Certainly, too, the leaders of the violence in the city in the past were originally among the Americans. The Irish, for instance, were probably numerous in the Vigilance Committee, but they also had been heavy sufferers in past elections.

It was not surprising that there was a resort to armed vigilantes, for there had been many threats of doing this thing earlier.

²⁸*Weekly Delta*, June 19, 1858.

²⁹*Daily Picayune*, December 12, 1858.

³⁰*Weekly Delta*, June 12, 1858.

On Federal relations, the "expansionists-Democrats" condemned the course of the Administration with regard to Nicaragua. They claimed that they had been promised a different attitude on that question, but that "the old circumlocution treatment of Marcy and Pierce continued;"³¹ that Slidell had "apologized" for the Paulding "outrage" and had attacked William Walker's policies in Nicaragua.³² Slidell's "national filibusterism" was not accepted by the "manifest Destiny Democrats" of the State as preferable to private filibusterism.³³ "National filibusterism," they contended, was only national war and conquest; but Slidell's admission that private filibustering might produce "national benefits" received the plaudits of the same group.³⁴

Douglas, the Administration, and the Kansas question formed the chief subjects for discussion on federal politics during the latter part of the year. The followers of Douglas in the State asserted that they took sides with him not because of his break with the Administration, but because he opposed the "Black Republicans" on all questions other than Kansas.³⁵ The Know Nothings who voiced opinions on Douglas, held, too, that he was the "remedy" for re-uniting the Democratic party again. In this connection, the paper which had been the chief Know Nothing journal of the State said:

With a candidate who is true to Democracy, while upholding individual responsibility and honor; who has shown that he can not be coerced into subserviency to despotism, and yet will not be driven into the ranks of the opposition . . . with such a man, in short, as Stephen A. Douglas, the Nationals throughout the country may yet cherish the expectation of breaking down the banded legions of Black Republicanism.³⁶

Opinion among the Democrats of the State was divided as to Douglas's acceptability. Some held that the weight of Democratic

³¹*Weekly Delta*, May 1, 1858.

³²See chapter on foreign politics.

³³*Weekly Delta*, May 1, 1858.

³⁴For treatment of the Administration and the Cuban question see chapter on foreign politics.

³⁵*Weekly Delta*, August 21, 1858. This praise of Douglas on the part of the Know Nothings was largely due to Slidell's hostility to him. The Administration's course on the Kansas Lecompton question was criticized as a policy of destruction toward those differing with the administration. See the *Bee* quoted in the *Weekly Delta*, November 13, 1858.

³⁶The *Bee*, quoted in *Weekly Delta*, November 13, 1858.

sentiment in the State was hostile to Douglas,³⁷ while others maintained that with the exception of his position on the Leecompton constitution issue, he was "sound in principle and acceptable to the South."³⁸ Again, opinions in the State on Douglas's Alton speech varied surprisingly. The *Courier*, old Democratic organ, approved the address, while the *Delta* declared that the "speech is not entirely satisfactory. It admits the rights of slaveholders, but admits also the power of a locality to nullify those rights, without pointing out an adequate remedy."³⁹ The vindictive *True Delta* gave the persistent opposition of the Administration the credit for making Douglas the outstanding figure he had become.⁴⁰

In early December, Douglas was welcomed to Louisiana by the "State's Rights and Popular Sovereignty" Democrats,⁴¹ and was introduced by Pierre Soulé to an immense audience which he addressed in New Orleans.⁴² The press of the city commented favorably on the reception tendered Douglas and indicated, at first, that his position on Kansas had not alienated his Southern friends who were strong for States Rights.⁴³ But Douglas's speech in New Orleans was a disappointment to some of his followers, who admitted as much.⁴⁴ The right of the people and Legislature of a Territory to refuse to enact legislation in behalf of slavery was the point objected to in his speech by the city paper which had longest favored his interests.

He said that Congress, in granting power to the Territorial authorities to act on all "rightful" subjects of legislation, conferred the power of legislating upon the subject of slavery—Everybody—at least everybody in the South—admits that the Federal Government had no power to destroy rights of any kind; certainly it can not confer such a power on a mere subordinate and derivative, the government of a territory. It is, therefore, perfectly evident that Mr. Douglas involved himself in a contradiction when he assumed slavery or any other right, to be a "rightful subject of legislation," in the sense of prohibiting or destroying it.⁴⁵

³⁷*Baton Rouge Advocate*, quoted in *Weekly Delta*, November 13, 1858.

³⁸*Courier*, *Ibid.*

³⁹*Weekly Delta*, November 13, 1858.

⁴⁰Quoted in *Weekly Delta*, November 20, 1858.

⁴¹*Daily Picayune*, December 3, 1858.

⁴²*Weekly Delta*, December 11, 1858.

⁴³*Ibid.*, December 18, 1858.

⁴⁴*Ibid.*

⁴⁵*Ibid.*, December 11, 1858.

A subject that continued to increase in prominence where politics were discussed was: "Who shall be the next Senator?"⁴⁶ The people of the northern part of the State began to clamor for a Senator from their section. One paper⁴⁷ from this portion of the State said: "... It is a duty which every Democratic member from the northern part of the State owes to his constituents, to vote only for a man from North Louisiana. Aye, more, the fiery indignation of a justly incensed people will be visited upon the head of him who fails to so cast his vote." The justice of the demand was based on the fact that both Benjamin and Slidell were from New Orleans.

But one city paper⁴⁸ replied that "King John"⁴⁹ did not fear such threats, as he was accustomed to them. It was the opinion of this journal that Benjamin would be returned to the Senate regardless of the desires of North Louisiana. "Besides, the 'King' is for him, no matter who disputes it..." said the same lately prominent Know Nothing journal. Even the States Rights Democrats felt that if Benjamin were to be succeeded, it would be because an abler man had been found, and not on "the geographical test."⁵⁰

⁴⁶*Weekly Gazette and Comet*, October 24, 1858.

⁴⁷*The Monroe (Ouachita Parish) Register*, quoted in *The Weekly Gazette and Comet*, October 24, 1858.

⁴⁸*Crescent*, quoted in *The Weekly Gazette and Comet*, October 24, 1858.

⁴⁹Slidell.

⁵⁰*Weekly Delta*, November 13, 1858.

CHAPTER XII

INTERNAL IMPROVEMENTS AND SOUTHERN EXPANSION

IN THE late 'forties and the early 'fifties men were really interested in the financial, economical, and industrial affairs of the country, and the Compromise Measures of 1850 were welcomed as a possible cure for the irritating interruption caused by the slavery controversy. The most striking economic fact of the period was the extension of the railway systems of the United States, while Southern expansion was the principal question in external relations. Louisiana shared in both, but in neither were they unified in thought or action.

Louisiana's interest in the course of trade lay not only in seeing the great plains brought nearer, but in additional projects of a more local nature. Yet despite the boasted wealth of Louisiana, the old jealousy between country and city operated throughout this period to hinder the material development of the State by such means as internal improvements. As early as 1846, New Orleans' citizenship complained that taxation was neither uniform nor equal throughout the State. Tax returns for 1844 were cited to show that she paid approximately one-fifth of the direct taxes of the State levied on real estate and slaves, and an additional tax was paid by her merchants which was equal to one-half the total received from direct taxes.¹ Throughout the 'fifties, the press of New Orleans appealed to the country for the repression of sectional jealousy in order that the city² might work out her destiny.³ All crevasses, bayous, bridges, and schools of the city were financed by municipal taxation, although New Orleanians felt that the State, which was interested in the prosperity or retrogression of the city, should relieve the burden of New Orleans by some State appropriations.⁴

In February, 1850, the Legislature passed an act providing that New Orleans should be allowed to tax capital, which somewhat alleviated her tax-ridden condition. Previously, the

¹*Weekly Delta*, March 23, 1826.

²Two men who were outstanding in the development of New Orleans in the 'forties and early 'fifties were S. J. Peters and A. D. Crossman.

³*Daily Picayune*, December 31, 1857, for instance.

⁴*Weekly Delta*, October 15, 1849.

Supreme Court of the State had exempted capital from taxation on the ground that the city charter did not permit the exercise of such power. Under the new law foreign capital, in possession of the "birds of passage," would be forced to contribute to the treasury.⁵

As early as 1848, the State was interested in seeing the United States secure a right of way from Mexico across the isthmus of Tehuantepec and a New Orleans paper remarked: "... we are anxiously awaiting the initiatory movement. Let the road be constructed at once, and not many years will elapse before the most magnificent results will follow."⁶ Popular interest was further stimulated by pointing out that the execution of such a plan would make New Orleans "the greatest emporium" of exported produce of the two hemispheres. New York was cited as an example of what enterprise could do and the citizens were urged not to "... lag behind when the task of rivalry with the empire city is so easy in our hands. Now is the time; let there be action, action — action."⁷ The citizens of New Orleans realized that this route's opening would mean much to them and they became unanimous for it. Meetings were held and suggestions were discussed. Some thought that the first thing to be done was to send a steamship to the Pacific side of the isthmus of Tehuantepec or elsewhere in Central America to receive emigrants who crossed on their way to San Francisco. Capitalists were invited to "draw their purse strings."⁷

In March, 1850, the Tehuantepec Route was still being recommended as available, and in July of the same year the news was joyfully proclaimed to Louisiana that the United States Minister to Mexico had secured the permission of that Government to build a railroad between the two oceans. During the fall, citizens were invited to enter their names on subscription lists of the Tehuantepec Company and thus advance the business and property in New Orleans.

In 1850, P. A. Hargous, a business man of Pennsylvania and Mexico, arrived in New Orleans and began to interest some of the wealthier citizens in the Tehuantepec rights. He had purchased these rights, but did not intend to undertake con-

⁵*Daily Picayune*, February 10, 1850.

⁶*Ibid.*, September 30, 1848.

⁷*Ibid.*, October 3, 1849.

⁷*Ibid.*, October 7, 1849.

struction himself.⁸ J. P. Benjamin and others became interested, and later organized the so-called Tehuantepec Company.⁹ Benjamin attempted to induce Governor Walker to call an extra session of the Legislature in order that the Constitution might be amended so as properly to incorporate the Company.¹⁰ As chairman of the Permanent Committee on the Tehuantepec route, Benjamin made glowing reports on the advantages to New Orleans of transportation across the isthmus.¹¹ Benjamin was sincere in his expressions regarding these benefits to New Orleans of a Tehuantepec railway.¹² His friend John Slidell was given credit by New Orleanians for having secured recognition of the Tehuantepec Grant in the Gadsden Treaty.¹³

Much bad management in Tehuantepec, enmity from Soulé, who was interested in a rival company, the Panic of 1857, and the outbreak of the Civil War provided little satisfaction, except in hopeful contemplation, for stockholders of the Tehuantepec Company. For a few months in 1858-1859, the Company enjoyed seeming prosperity. A vehicle road was completed, and Benjamin succeeded in getting the California mails carried via Tehuantepec for one year.¹⁴ But the enterprise was a failure, and regardless of where the blame lay, the political enemies of Slidell, in 1859, made much of his slight connection with the episode.¹⁵

Mention has been made of the seven railroads completed and in progress by January 1, 1840.¹⁶ The New Orleans, Jackson & Great Northern was begun in 1852, and construction to Canton, Mississippi, was completed in 1858. Construction of the New Orleans, Opelousas & Great Western was completed to Berwick's bay or Brashear City, a distance of eighty miles, in 1857. On account of the several steamboat packets in operation during the 'forties and early 'fifties, railroads were looked upon as auxiliaries to the principal water lines of transportation.

⁸For a condensed but thorough treatment of this subject see Butler, *Judah P. Benjamin*, 119-133; 185-190.

⁹The Constitution of 1845 would not permit of a suitable charter.

¹⁰*Weekly Delta*, October 14, 1850.

¹¹*Ibid.*, October 21, 1850.

¹²Butler, *Judah P. Benjamin*, 126.

¹³*Weekly Delta*, December 31, 1854.

¹⁴For a discussion of these points, and the political differences between Forsyth and Soulé on one side, and Benjamin, Slidell, and others, on the other, see Butler, *Judah P. Benjamin*, 185-190.

¹⁵*Daily Crescent*, October 20, 1859.

¹⁶Chapter I.

Within the State, in January 1853, there were 63 miles in progress, and by April of the same year, forecasts of further extension of railroad mileage were being made with enthusiasm. When the Memphis Convention was proposed for the purpose of furthering the commercial and industrial independence of the South, the most practicable step, according to the *Picayune* of New Orleans, was the construction of railroads and other internal improvements. That the above journal spoke for the State was shown by the fact that the Legislature's biggest measures were for internal improvements. The Jackson, Opelousas, and Shreveport Road was "placed beyond the contingency of defeat"¹⁷ (by legislative appropriation).

The Memphis Convention met early in June, 1853, and adopted a series of resolutions for a Pacific Railroad, direct trade, the Tehuantepec route across the isthmus, southern education, southern manufactures, southern steamers and the Amazon trade—measures for which sentiment was universal. The Pacific Railroad was recognized as the greatest question before the country. Louisiana naturally preferred a southern route and enumerated arguments for that line which seemed to her citizens unanswerable. But that the people of New Orleans were not contentious in the matter is shown by the following statements: "If the interests of the country at large will be better served by running the road upon a line different from the one we have advocated, we shall be content. In the general prosperity of the country we feel sure that New Orleans and Louisiana will never suffer. But let us have the road . . ."¹⁸

But in 1855, efforts of rival cities of the South in railroad construction, disappointment in the Southern Commercial Conventions, which had become largely political and composed principally of delegates from rival centers of trade, and failure of local railroad construction, caused some New Orleans citizens¹⁹ to declare that the railroad "bubble" had burst. Much of the upper Mississippi trade had been drawn off to the East and North-East, and the poor attendance at the Southern Commercial Convention in New Orleans in January, 1855, seemed proof to New Orleans that her deductions concerning the commercial situation were correct. So, the *Weekly Delta* of Janu-

¹⁷*Daily Picayune*, May 3, 1853.

¹⁸*Ibid.*, September 10, 1853.

¹⁹*Weekly Delta*, January 14, 1855.

ary 14, 1855, suggested that the Commercial Convention in session in the city might embody the resolution:

Resolved, That the South has undertaken as much as it can execute in the way of railroads, and that it will apply all its energies to the completion of these before it commences any new ones; . . .

When twenty-five Democratic Senators voted for Slidell's measure in Congress providing \$320,000 for removal of obstructions to navigation in the mouths of the Mississippi, and five Democratic Senators from Southern States voted against the measure, it meant to Louisiana that the Union of the South for commercial purposes was useless with the "house divided against itself."²⁰ The latter part of the year (1855) found some of the disheartened admitting that New Orleans had reached the crisis of her destiny. To preserve her trade, to fight against her rivals, punctual forwarding of trade by a line of freight steamboats which could make New York in nine days was advocated by one city paper.²¹ Large benefits were held out as incentives to the completion of the Vicksburg and Shreveport road, and the Opelousas Road, but these were still uncompleted by January, 1856.²²

However, by 1856, the New Orleans, Jackson, and Great Northern Railroad had extended beyond the boundaries of the state, and the New Orleans, Opelousas and Great Western Railroad was in successful operation over a distance of sixty-six miles.²³ Communication with Memphis, the Valley of the Tennessee, and the mouth of the Ohio seemed assured by the middle of the summer and a complete chain of interlinked roads connecting all points desired was anticipated by 1858.

In November, 1857, \$1,500,000 of the State's debt was for subscription to stocks in the railroads of the State.²⁴ But "Louisiana Stocks" were not prized in eastern money markets and capital continued to be scarce in New Orleans throughout the 'fifties, not because it was not productive there, but because it was regarded as insecure on account of the peculiar features of the State's laws which discouraged corporations.²⁵

²⁰*Daily Picayune*, February 15, 1855.

²¹*Weekly Delta*, October 21, 1855.

²²*Daily Picayune*, December 25, 1855; January 24, 1856.

²³Gayarré, *History of Louisiana*, IV, 679-680.

²⁴*Daily Picayune*, November 13, 1857.

²⁵*Ibid.*, January 13, 29, 1858.

Some internal improvements were made on lakes and bayous at Federal and State expense. John Slidell had succeeded in getting a bill through Congress which removed the obstructions in Bayou Lafourche which had been placed there by Andrew Jackson in 1814.²⁶ The Legislature voted an appropriation for the improvement of the Navigation of Lake Caddo in 1857,²⁷ and the following session of the Legislature saw strong efforts to make the Board of Public Works a body which would approximate the ideals of the board prescribed by the Constitution.²⁸

The rivalry of southern cities, the Mississippi, lack of capital, geological conditions, talk of direct foreign trade, natural fear of graft, and the mutual jealousy of political leaders were among the causes of the lack of railroad development in Louisiana. The press of New Orleans frequently deplored, during the entire period, the almost "insane jealousy" between country and city which retarded the material progress of the State.²⁹ Party politicians made the most of this antagonism.³⁰ Opelousas people charged that New Orleans was not fair in the railroad development questions,³¹ while Bossier parish, for instance, in the Northwestern part of the State claimed it had nothing from the Legislature in the way of internal improvements though it paid State taxes.³² Baton Rouge complained that all the special legislation was done for New Orleans,³³ while some members of the Legislature advocated liquidating the indebtedness of the Internal Improvement Department by selling its negroes and equipment.³⁴

On the whole, political candidates from the same community seldom mentioned their positions on internal improvements. The issue with which they were immediately concerned was generally either a lifeless one or all were committed to the same point of view. But when it was seen in 1860, by a decisive vote in the Senate, that the country would not relinquish the capital to New Orleans, the extension of the Baton Rouge

²⁶*Courier*, April 20, 1856.

²⁷*Daily Picayune*, March 17, 1857.

²⁸*Ibid.*, January 17, March 9, 1858.

²⁹This may be seen as late as 1859. *Daily Picayune*, February 6, 1859, for instance.

³⁰*Daily Picayune*, February 6, 1859; also numerous instances in this thesis.

³¹*Ibid.*, November 2, 1851.

³²*Ibid.*, May 26, 1858.

³³*Ibid.*, February 28, 1860.

³⁴*Ibid.*, February 29, 1860.

Railroad to New Orleans at the first opportunity was assured.³⁵ Still, some of the papers of New Orleans stated, in the spring of 1860, that the railroad enterprises had aroused the people of the State from their lethargy and put them on the path to progress.³⁶

During the years following the Compromise of 1850, the attitude of Louisiana and the South toward foreign policies and southern expansion was undoubtedly partly the result of the influence of the "manifest destiny" idea, the interest in national expansion which seemed to be in the air. The idea of the annexation of Cuba was the first external affair before the country.

In the fall of 1849 the press of Louisiana expressed the hope that President Taylor would "turn over a new leaf" with those nations that "... have so little delicacy in their mode of acting, when the foreigner beneath their flag happens to incur their suspicion."³⁷ The cruelties of such nations, having reference to Spain of course, in dealing with revolutionists were characterized as horrible. A revolution was supposed to be impending in Cuba and such a possibility was not unlooked for because of the long continued oppression of the Cuban Creoles. The statement was frankly made that if the revolution had begun, Louisianians would "... bid them God speed! ..."

President Taylor issued a proclamation against filibustering in 1849, and managed to prevent the departure of one Cuban expedition, but a second was a bit more successful. The people of Louisiana had "all ears strained to catch the first tidings from the expedition which is known to have started to make a landing on the island ..."³⁸ The members of the expedition were defended as men of "character, ability, and influence and discretion" who were making a volunteer of arms in a noble movement which deserved the sympathy of all people under a republican form of government, and hopes for an easy landing and a warm welcome were almost unanimous. But news of the expedition's failure and the capture of some of the party by the Spanish Government caused deep regret for the disappointment of the Creoles and the unmerited misrepresentations in regard to the expedition which were bound to follow.

³⁵*Daily Picayune*, March 6, 8, 1860.

³⁶*Bee*, April 14, 1860; *Weekly Delta*, April 14, 1860.

³⁷*Daily Picayune*, September 2, 1849.

³⁸*Ibid.*, May 23, 1850.

When rumors of possible death penalties to the American prisoners reached New Orleans, the fact that the United States had certainly attempted to repress all filibustering against Spain was clung to as a hope for hesitation before "... inflicting the penalty of death..."³⁹ At the same time the curious opinion was enunciated that the seizure of the men was wrong in that their offense, if it were such, was committed against the laws of the United States and that the United States would not permit its rights to be usurped by a foreign government.⁴⁰ As negotiations between the two governments continued it seemed that war might result, and the same authority rejoiced at the signs of good understanding between the two nations which finally developed, while talk of war was deprecated because "... Such a war would be the harvest of privateers..., a heavy drawback to National progress,..."⁴¹

The more sober-minded citizens of New Orleans seemed to be torn between two emotions when they considered this filibustering: one impulse prompted sympathy with the movement, and yet on second thought such expeditions were usually condemned. When expeditions were being launched, the promoters met with encouragement because they were regarded as real humanitarian benefactors who desired to serve an oppressed people. But once the expedition had committed overt act, and it was realized that neutrality laws had been violated, the expeditions were almost certain to be condemned in New Orleans.

Although unwilling to go to war to secure the island, Louisiana citizens admitted that its annexation was desirable. When, in the summer, Spain proposed a European alliance for the mutual protection of the West Indies, it was suggested that the wisest thing for her to do was to sell out or enfranchise the unwilling colonies, "and thus gradually resign America to Americans," because this was sure to come to pass, though Europe might be years discovering the inevitable destiny.⁴² The same idea was reiterated in September, 1850, when rumors of another Lopez expedition were afloat. At this time it was suggested that it would be a happy close to the causes of irritation if Spain could be persuaded to sell the island at once. The

³⁹*Daily Picayune*, June 1, 1850.

⁴⁰*Ibid.*, June 9, 1850.

⁴¹*Ibid.*, June 23, 1850.

⁴²*Ibid.*, August 1, 1850.

United States, it was pointed out, "would not haggle about a few millions more or less to buy peace on their frontier" and the territory was described as "magnificent."⁴³

Finally, Webster, Secretary of State, obtained the release of the captured Americans through Barringer, the Minister at Madrid. In the meantime, Lopez was acquitted by a southern jury when tried on the charges of violating the neutrality laws. The episode crept into State politics within the next few weeks. In the campaign in the fall of 1850 for a successor to Congress to fill the vacancy caused by the death of Charles M. Conrad, Judge H. A. Bullard was a candidate. He came in for much criticism at the hands of his opponent and lost many votes because he had denounced the attempts to liberate Cuba, previous to the trial of General Lopez. His probable election was conceded, however, by the ultra-expansion *Delta* although it remarked that "nearly all our people are in favor of acquiring the island of Cuba, and consider it necessary for the protection of our commerce, as well as for the restoration of the equilibrium of the South."⁴⁴ The judge attacked this "popular feeling" vigorously, and, apparently successfully, as he was returned victor at the polls.

Before the end of the year the *Delta* declared that it would support in the next Presidential campaign the party which advocated the annexation or independence of Cuba.⁴⁵ As a step toward this position the *Delta* declared that when President Fillmore's annual message of 1850 spoke of adjusting the controversy in Cuba, that he really had in mind subjecting the whites there to the blacks. Furthermore, a continuance of the existing Government of Cuba would prepare the island to become a second Santo Domingo. However, the same journal rejoiced that Fillmore's power was not equal to his will in the matter. Cuba was to become the land of free white men "... the abode of virtue, of refinement, of happiness, of plenty, and of wealth. All the power of our Government—all the intrigues of free-soilers and abolitionists—all the resources of Spain will not prevent it, if for a time they may postpone, the redemption of this beautiful island from the clutch of the power which, at present, is only able to hold it by the aid of the principal nations of the world."⁴⁶

⁴³*Daily Picayune*, September 28, 1850.

⁴⁴*Weekly Delta*, October 7, 1850.

⁴⁵*Ibid.*, November 18, 1850.

⁴⁶*Ibid.*, May 5, 1851.

Early in 1851, the other New Orleans papers either maintained a politic silence or openly approved President Fillmore's vigor in issuing a proclamation against filibustering in Cuba. But to the *Delta*, which by this time was an organ of the later ultra-expansionist leader of 1854, Soulé, the proclamation was simply a source of great pleasure to the enemies of the South.⁴⁷ When, a few days later, a procession was organized among the emotional Spanish population and paraded the streets as a mark of deference to Spain and the attitude of the administration, the expansionists hailed it as "a strange sight, truly, . . . , in a republican city, which a half century since was redeemed from the corrupt rule of the Spaniard, . . ."⁴⁸ When the *Crescent*⁴⁹ expressed the opinion that annexation of Cuba would reopen and embitter sectional questions, the *Delta* replied that the Wilmot Proviso had recently left the question of the determination of slavery to the people of a State.⁵⁰

Despite Cuban "Liberty meetings" in Lafayette square⁵¹ and "Demonstrations for Cuba" at Banks Arcade,⁵² even the columns of the vigorous *Delta* showed that the State was not a unit in support of Lopez.⁵³ Still, Lopez's addresses drew ap-

⁴⁷*Weekly Delta*, May 12, 1851.

"Let them (enemies of the South) howl and rejoice—let them fawn and lick the hand of this would-be despot, who assumes the right to judge of the motives of men, . . ."—*Weekly Delta*, May 12, 1851.

⁴⁸*Ibid.*, May 26, 1851.

⁴⁹*Crescent*, quoted in *Delta Weekly*, July 28, 1851.

⁵⁰*Weekly Delta*, July 28, 1851.

This journal was soon to boost Douglas as Presidential nominee for the Presidency.

⁵¹The temperamental Felix Huston made the principal address at one of these meetings.

⁵²The resolutions offered by W. L. Cushing and unanimously adopted at the Banks Arcade demonstration were:

Resolved, That we greet with joy and enthusiasm the recent intelligence from the Island of Cuba, as indicative of the heroic resolution and devotion of that people, and of their purpose, to make every sacrifice to achieve their independence.

Resolved, That the Cubans having given an earnest of their sincerity and constancy in their struggle for liberty, it is our duty, as brother republicans and men, to aid by all means in our power, their efforts, until they shall be crowned with success.

Resolved, That a committee of ten be appointed by the Chairman of this meeting, to draft an address to the citizens of Louisiana and of the United States, in behalf of the Cuban Revolution.

Resolved, That a committee of ten be appointed by the Chair, to be called "The Committee for the Promotion of Cuban Liberty," whose duty it shall be to collect contributions from our citizens, to aid the Cuban Patriots and to forward the same as speedily as possible . . . —*Weekly Delta*, July 28, 1851.

⁵³*Weekly Delta*, July 28, August 18, 1851.

preciative audiences, while the fact that he was seen as a foreign patriot fighting for the cause of a better government for an oppressed people undoubtedly won adherents which an American filibuster would not have gained.

Lopez proceeded to make another expedition to the island in August, 1851. The natives did not rise to his support and he was defeated, captured, and executed; fifty of his band, some of them members of prominent southern families, were shot after a farcical court martial. When the news of this severity reached the city of New Orleans, a mob attacked the Spanish Consulate and looted some of the Spanish shops. The *Delta* appealed to New Orleans to raise funds and assist in achieving the independence of Cuba as she had that of Texas.⁵⁴

The *Delta* disclaimed responsibility in behalf of the "Filibusters" of the city for acts of the mobs, which were attributed to that more "ignorant and desperate class of the people" who generally composed mobs. The violence was deplored, as the cause of "liberty" should not be stained by such crimes.⁵⁵

The matter became the subject of grave correspondence between the United States and the Spanish Minister. The Governor of Louisiana assured the Legislature in his annual message that the officers of the State were not careless of their duty and that the best citizens soon suppressed the rioters. In the same message he added that "It would be manifestly unjust to hold them (the worthy citizens) responsible for a slight effervescence of feeling, confined to a few misguided men, operated upon by the most inflammable appeals . . ."⁵⁶ Ultra expansionists in New Orleans denied the Governor's charge against the press, unless he meant "a hireling rag, fed from the coffers of Concha in Cuba," printed in New Orleans, which insulted American citizens, institutions, and customs.⁵⁷

During the latter part of August and in early September the Cuban sympathizers held a few meetings. One meeting was held at Clinton and another at Carrollton where committees were appointed to cooperate with the New Orleans committee

⁵⁴*Weekly Delta*, August 25, 1851.

⁵⁵*Ibid.*

⁵⁶*Daily Picayune*, January 21, 1852.

⁵⁷*Weekly Delta*, January 25, 1852.

by raising funds and forwarding them to the latter body.⁵⁸ It was at this time that the *Delta* was provoked into the statement that it had long advocated Cuban independence openly, while the *Picayune*, *Crescent*, *Bee*, and the *Bulletin*, which were owned by friends of President Fillmore, dared not admittedly favor it, but printed articles which produced the belief that they were of the same opinion on the question.⁵⁹ The *Delta* could see no difference in the history and character of Kossuth and Lopez. Lopez had simply planned the emancipation of an island which lay close to the southern portion of the Confederacy, and thus offended the North.⁶⁰ Opposition on the part of the journals of Charleston and Mobile, was accounted for by the *Delta* on the ground that these cities feared the annexation of Cuba would drain emigration from their States as the annexation of Texas and California had done. But the negro population would certainly not be drained, the *Delta* of January 16, 1853, hastened to add, because Cuba was well supplied with slaves.

During the debate in the Senate, December 23, 1852, on the relations of the United States with Cuba, Senator Mason of Virginia concluded his speech with the declaration that "whenever the hour comes when in good faith, and with due regard to National honor, we can incorporate Cuba as one of these United States, it will be done, and Europe may find it best for her peace." Commenting on this language, the *Picayune* stated that it would not be "misapprehended" and would find a general approval in the popular voice of the country.⁶¹ Mason's rebuke of private warfare and enterprises against the island was prompted by belief in the "manifest destiny" theory. On the other hand, Clemens, of Alabama, in his speech in the Senate on the declaratory resolutions respect-

⁵⁸*Weekly Delta*, September 8, 1851. The ultra pro-slavery leader, Edward Delaney, was on the Clinton committee.

Delaney failed to get a bill passed at the Legislative session of 1853, which provided for the importation of negro laborers into the State. (DeBow's *Review*, XXV, 491-496). His attempt the following session to secure the same legislation also failed. —(*Daily Picayune*, March 10, 1859).

J. D. B. Debow of New Orleans was elected president of the "African Labor Supply Association," organized at Vicksburg during the summer of 1859. The Association made much of the fact that England was engaged in the opium and coolie trade, while criticizing the South for desiring to reopen the African slave trade. Yet a minority in the Association objected to a demand for the repeal of all laws prohibiting the slave trade as contrary to the sentiments of the eight States represented in the Association. (DeBow's *Review*, XXVII, 470-471). The conservative element in the State did not advocate reopening the slave trade.

⁵⁹*Weekly Delta*, October 6, 1851.

⁶⁰*Ibid.*, January 18, 1852.

⁶¹*Ibid.*, June 2, 1853.

ing the Monroe Doctrine and the island of Cuba, "animadverted with much force on the pernicious tendency of the doctrines of 'progress' and 'manifest destiny,' recently broached by presses and politicians." He contended that progress really consisted in self-improvement; in making the Nation happy and prosperous, and not by interfering with other nations' affairs. The Whig press of New Orleans ventured that Mr. Clemens's views met with the assent of a great majority of the American people. As to the Monroe Doctrine, the same press pointed out that it could be maintained without including the "rabid and extravagant" doctrine of "manifest destiny" and "progress."⁶² This same sentiment was exhibited in an editorial by the *Picayune* of March 2, 1853; Washington's parting words were cited as a manual for the foreign policy of the Government, and the extension of commercial relations with foreign nations was advocated only when in good faith and "by every proper means."

President Pierce announced in his inaugural address that the policy of his administration would "not be controlled by any timid forebodings of evil from expansion," and Senator Pierre Soulé, whose views were known to be radical on the Cuban question, was appointed Minister to Spain. The Whig press of Louisiana insisted, however, that a distinction could be drawn between the doctrines of the administration and "those of that class among us known as filibusters," and the hope was expressed that President Pierce would "adopt a dignified foreign policy."⁶³

Signs of another filibustering movement were visible in 1853. Yet the movement of 1854, though more actively supported by the pro-slavery expansion group, and receiving better backing, was actually supported less by the people. Columns of the *Delta* expressed surprise at the silence of the Democratic journals of the South on the subject of Cuban annexation. The visible change was ascribed to the accession of Old Fogyism to power. So, the "progressive Democracy" of the State was urged to move promptly to offset the influence of the leaders of Old Fogyism in Louisiana, who managed to suppress the opinions of the "majority of the people" who were "for Cuba."⁶⁴ Colonel S. F. Marks, of West Feliciana, intro-

⁶²*Daily Picayune*, December 16, 1853.

⁶³*Ibid.*, March 26, 1853.

⁶⁴*Weekly Delta*, January 16, 1853.

duced a resolution in the House of Representatives favoring the acquisition of Cuba, but it came to naught because of opposition from the Democratic "set fasts."⁶⁵

Then came the blunders of Soulé in the *Black Warrior* incident, in which Secretary of State Marcy finally managed to avoid complications. Following this and the succeeding unpleasant relations with Spain, the rumor that Spain intended to allow Cuba to "become African" became widely believed in Louisiana. In view of the probable destructive effect upon the southern state it was held that the matter demanded preparation for self-defense and the suggestion was made that the Neutrality Law of 1818 be revoked. By retracting this old pledge to Spain to prevent the intervention of our citizens in Cuba's affairs, it was thought that the mildest means of preventing injury would have been used.⁶⁶

But in the Spring of 1854, the *Black Warrior* incident was hailed as a "Godsend" by the *Delta*⁶⁷ which wished for a renewal of the Cuban excitement in otherwise dull times. President Pierce's proclamation on June 1, warning the people against engaging in expeditions against Foreign Powers or people with which the United States had treaties of peace met with scant respect at the hands of the extreme *Delta*. This journal compared the President's attitude to that of the schoolmaster toward urchins whom he had suspected of designs against an apple orchard.⁶⁸ During the same month, Judge John A. Campbell, of the United States Supreme Court, charged the Grand Jury to indict anyone connected with enterprises purposing to free Cuba.⁶⁹

The Grand Jury reported that meetings had been held and collections of money had been taken which probably had as an end assisting a Cuban revolt, but that whatever the plan was it was only in the prospective. But Judge Campbell stated that proof existed that an expedition was meditated against Cuba. He then declared his intention of holding as witnesses John A. Quitman, A. L. Saunders, and J. A. Thrasher under bonds of \$3,000, because they had refused to answer

⁶⁵*Weekly Delta*, January 30, 1853.

⁶⁶*Daily Picayune*, May 14, 1854.

⁶⁷March 10, 1854.

⁶⁸*Weekly Delta*, June 11, 1854.

⁶⁹*Ibid.*, June 25, 1854. The *Delta* stated that the Grand Jury, Marshall, Judge, etc., in fact, most of the population of the city, should be indicted under the charge as given.

questions on the grounds that they would incriminate themselves.⁷⁰ Although General Quitman was the leader of the movement,⁷¹ he threatened to refuse bail and go to jail. His friends dissuaded him in this resolution.

In mid-summer arose the outcry that Spain under the influence of France and England was planning to "Africanize" Cuba. The *Bee* raised the question as to the right of an outside power like the United States to interfere with Spain's activities within her own dominions; but the *Delta* insisted that such an act as emancipation of the slaves would be simply one of force and usurpation, which should be opposed by the "obligation of humanity and the right of self-defense."⁷² A few weeks later, a revolution in Spain placed Espartero in power and it was realized in Louisiana that Captain-General Concha would now be removed. Soulé, Minister to Spain, reported that all hopes of purchasing Cuba or of a peaceful settlement with Spain were now lost.⁷³ The conservative *Bee* expressed doubt as to the courage and determination for freedom on the part of the Cuban Creoles; whereupon, the *Delta* rejoined that the Creoles cultivated plantations which belonged to the Spaniards and could not cooperate in an uprising without risking the property of the latter.⁷⁴

A short time afterward came rumors that the Spanish had referred to the ease with which the southern ports could be destroyed in case of war, and they were taken seriously by the press of New Orleans. A strong gulf squadron and coast defences were urged as means of effectively taming any possible desire for hostilities as well as to give independence in negotiations.⁷⁵

When it was learned that a large number of coolies had been introduced into Cuba, it was supposed, in Louisiana, that Great Britain was pressing Spain to abolish slavery in the island. In his annual message of 1854, Governor Hébert said, "... Will the Federal Government, charged with the international interests of States, anticipate the threatened peril or

⁷⁰*Weekly Delta*, July 9, 1854.

⁷¹W. O. Scroggs, *Filibusters and Financiers*, 218; *Weekly Delta*, July 13, 1856; J. F. H. Claiborne, *The Life and Correspondence of John A. Quitman*, II, 196-197.

⁷²*Weekly Delta*, July 9, 1854.

⁷³*Ibid.*, August 27, 1854.

⁷⁴The Neutrality Law of 1818 was, of course, deplored by the expansionists as folly.

⁷⁵*Ibid.*, October 8, 1854.

⁷⁶*Daily Picayune*, June 29, 1854.

patiently and quietly await the occurrence of it . . . The deliberate expression of the sentiments of the people of Louisiana, upon this all-important subject, will at once sustain the watchfulness of the administration and strengthen their hands in executing any measure for our protection which they might deem necessary to adopt." This measure which the Louisianians expected was the annexation of Cuba.⁷⁶

Soulé achieved considerable notoriety because of his share in framing the so-called "Ostend Manifesto," which would have had the United States warn Spain that if she did not sell Cuba to the United States virtually at our price, we would take it, by force, if necessary. Soulé resigned following the repudiation of the "Manifesto" by Secretary of State Marcy and its general condemnation in the North.

Thus it is seen that though there were some ultra southern expansionists who wanted Cuba annexed at any cost, by fair means or foul, there was a formidable and perhaps more respectable group, who, though they also would have been glad to see Cuba acquired by the United States, insisted that this desideratum be accomplished only by fair and legitimate means. It is also noteworthy that both groups were interested in Cuba for the sake of the general commercial advantages which would accrue to the country as a whole, quite as much as in the advantage which it was supposed the South, as a slave-holding section, might gain from Cuban annexation.

Slidell's position on the Cuban question⁷⁷ was approved by the *Delta*,⁷⁸ but President Pierce was condemned as a failure because of the inconsistency of his inaugural and his subsequent action.⁷⁹ By this time, the *Delta* was not averse to "a little brush with Spain," but the *Picayune* to the disgust of the former journal, favored peaceable adjustments, wherever possible, of contentions between the two nations.⁸⁰

At the National Democratic Convention at Cincinnati in 1856, the Louisiana delegation passed over General Quitman for Breckenridge as a running mate with Buchanan. Quitman had voiced protests in Congress against the Neutrality Laws

⁷⁶Gayarré, *History of Louisiana*, IV, 676.

⁷⁷To secure Cuba by governmental negotiations—not by hostile expeditions. However, Slidell refused to be the "catpaw" of the Administration (Pierce) in warning New Orleans of immediate punishment to expeditions aimed at Cuba, holding such to be the duty of the State department.—Sears, *John Slidell*, 108, 110-111.

⁷⁸December 24, 1854.

⁷⁹That is, on expansion, *Weekly Delta*, February 25, 1855.

⁸⁰*Weekly Delta*, April 29, 1855.

and his well known views on the Cuban question had caused Soulé and the "progressive Democrats" to hope for his selection.⁸¹ In 1858, President Buchanan gave pleasure to the ultra annexationists by proposing to acquire Cuba. His message outlined arguments favoring its acquisition by purchase, but the radical expansionists of Louisiana deemed arguments unnecessary.⁸² In January, 1859, a step was taken in Congress which seemed to promise results. Senator Slidell introduced a bill into the Senate for the appropriation of \$30,000,000 toward the acquisition of Cuba by negotiation and purchase.⁸³ But sectionalism and the Civil War prevented a continuation of his efforts in this direction.

The other serious problem of these years related to the control of the isthmus of Central America, which became important after 1848 as a link in the sea-passage to California.⁸⁴ Great Britain was first on the ground with the colony of Belize on the coast of Honduras and also had an old protectorate over the Mosquito Indians. That there was to be a scramble for the Nicaraguan route and that the press was alive to the situation was evident when the *Picayune*, September 9, 1849, expressed the fear that the British Government would secure the position of mediator between Mexico and her 'aboriginal races.' The territory of Nicaragua was held to be only second in importance to Cuba and the Federal Government was urged to follow its true policy and interpose between Mexico and Britain. The Clayton-Bulwer treaty with Great Britain aroused much resentment among the advocates of a vigorous policy.

William Walker was the central figure in Nicaraguan filibustering expeditions. He was a Tennessean who came to New Orleans and engaged in newspaper and legal work. He went to California in 1849, and there became interested in a filibustering expedition aimed at Lower California. Later he decided on an expedition into Nicaragua. His idea was to commercialize the traffic across Nicaragua by controlling the route and levying tribute on travelers.⁸⁵

As time passed the Central American question became more complicated and Marcy had hesitated to commit the Nation to a definite stand. The fears of the southern expan-

⁸¹*Weekly Delta*, July 13, 1856.

⁸²*Ibid.*, July 31, December 18, 1858.

⁸³*Ibid.*, January 15, 1859; Sears, *John Slidell*, 152.

⁸⁴T. C. Smith, *Parties and Slavery*, 81.

⁸⁵For an authoritative treatment of Walker and Nicaragua during this period see W. O. Scroggs, *Filibusters and Financiers*.

sionists that their program would be defeated caused the old filibustering spirit to reappear. Little sympathy was expressed with the Walker expedition into Lower California to establish a republic in Sonora, Mexico. The attempt was denounced as criminal, ruinous, and so void of discretion as to merit no chance of success.⁸⁶

During the first half of the summer of 1854, New Orleans' authorities searched for filibustering expeditions within the city, to no avail. The press of the city reiterated that there were no filibusters and expressed belief in implicit obedience to the law, but held that the laws should not be so construed as to prevent sympathy with the oppressed. In one instance the federal grand jury had obtained only rumors; but the judge was so impressed with the indications of possible filibustering that he required every man who declined to testify to give bond not to be engaged "in any violations of the law." The witnesses who refused to give bonds were committed to the custody of the United States Marshal.⁸⁷

In the latter half of the year 1854, a Colonel Henry L. Kinney, of Texas, had planned to colonize a company of Louisiana citizens on the Mosquito shore, but the Government of Nicaragua objected. The position of the Nicaraguan Government was sustained by the press of New Orleans and the hope was expressed that the Government would adopt an attitude as fair to Nicaragua as if it were a question of her own interests.⁸⁸

Central American meetings were held in New Orleans in 1856 and subscriptions were asked for in aid of the cause of Nicaraguan freedom. Pierre Soulé, in a meeting at the St. Louis Hotel, addressed thousands and advised the merchants to contribute to the aid of the Nicaraguans and get their returns upon its annexation by the United States. Much money was contributed at this meeting, and at its close some of the leaders accompanied Soulé to the "Gentlemen's Dining Room" where speeches and toasts were delivered. Senator Hymans, of New Orleans, was one of the speakers and expressed the hope that "... if any honorable gentlemen present should attend the Cincinnati Convention in June, they would insist on having these two planks placed in the Democratic platform: first,

⁸⁶*Daily Picayune*, January 7, 14, April 8, 1854.

⁸⁷*Ibid.*, June 25, July 2, 1854.

⁸⁸*Ibid.*, December 16, 1854.

Nicaragua and her independence, and second, indemnification in soil and territory for American blood shed at Panama!"⁸⁹

There were two parties in Nicaragua, the Legitimists and the Democrats. During the time that the Democratic government had held the Transit Route to California they had made offers of large land grants to Colonel Walker in San Francisco, through his agent in Nicaragua, if he would come down and serve in the Democratic army. The United States authorities tried to stop Walker but he evaded them and sailed at night with 56 men. He arrived in May, bluffed the Legitimists, and took charge of the town of Rivas for his first move.⁹⁰ The action of these men was defended by some writers of New Orleans on the grounds that they had gone to Nicaragua on the invitation of a majority of the people, had become citizens, had fought for the state and risen to power.⁹¹ This sentiment in favor of a Nicaraguan Government under the direction of Walker, the filibuster, was widespread and it was regretted that the United States Government had not seen fit to recognize the State as a republic. It was said that the "... current of public feeling is running irresistible with the universal conviction that it also is the duty and the policy of the people of this country to aid in the spread of American principles in the Central States, and to defend and support the American influences..."⁹²

News of a victory of Walker over the Nicaraguans in April, 1856, caused great rejoicing in New Orleans and the hope was earnestly and frequently expressed that the news would be confirmed. When, two days later, the report was verified, the *Picayune* stated that it would trust Walker against all the forces that could be raised against him if he only received "fair play," and would have no fear for the issues. It was feared in New Orleans, however, that Walker would be handicapped through outside influences, possibly Great Britain; and in this case it was believed that the United States would at once come into the quarrel.⁹³

On May 9, 1856, the ship *Mina Schiffer* left New Orleans for Nicaragua with men, women, and children as colonists under Walker's regime. Walker was sent men and money in

⁸⁹*Daily Picayune*, April 29, 1856; *Weekly Delta*, May 4, 1856.

⁹⁰DeBow's, *Commercial Review*, XX, 680-681.

⁹¹*Ibid.*, XX, 691.

⁹²*Daily Picayune*, April 30, 1856.

⁹³*Ibid.*, May 1, 3, 1856.

June, 1856, from New Orleans to aid him in making himself President instead of continuing his stand behind a nominal President. The men were Kentuckians and agreed to go at the expense of the management of Walker's affairs in New Orleans.⁹⁴ In July his government was recognized at Washington and he was then enabled to obtain more legitimate aid from New Orleans. The only fear of failure, at this time, was from European governments, because it was firmly believed that Central American animosity against the Americans was by no means universal.

When Soulé visited Walker on August 20, 1856, he evidently did not know that his faith in the man's aims were misplaced. Walker really dreamed of establishing a new republic which was to embrace Central America and Cuba, and had no intentions of attempting to bring Nicaragua into the United States after he became master of it.⁹⁵ Soulé did influence Walker to change his program of government so that American capital would be encouraged to invest in lands there. As labor was essential in a raw country for large scale development, Walker issued a decree for the restoration of slavery.⁹⁶

The "Manifest Destiny" philosophy found frequent expression in the columns of the *Crescent* and the *Delta*.⁹⁷ This doctrine was clung to even when Walker returned from Nicaragua in the spring of 1857, after his surrender to Captain Davis of the United States sloop-of-war *St. Mary's*. Walker returned to New Orleans on board the *Empire City*, the last of May, and was given an enthusiastic reception at the St. Charles Hotel.⁹⁸ In a speech to the crowd assembled there, Walker stated that the cause of Nicaragua was not yet lost, and the ultra-expansion press of the city faithfully echoed the statement.

But Walker soon undermined his power by a series of mistakes, and this, with his following bad behavior, caused all the central American states to unite to drive him out in the spring of 1857. President-elect Buchanan's campaign platform had approved Walker's efforts for the transit route, but the

⁹⁴*Daily Picayune*, June 3, 1856.

⁹⁵Scroggs, *Filibusters and Financiers*, 205-206.

⁹⁶*Ibid.*, 209-211.

⁹⁷See, for instance, the *Crescent* quoted in *Weekly Delta*, January 4, 1857; *Weekly Delta*, May 31, 1857.

⁹⁸*Weekly Delta*, May 31, 1857.

executive denounced filibustering to Congress in his first annual message, 1857.

In November, 1857, while under bond for violation of the neutrality law of the United States, Walker again returned to Nicaragua. On his return, he was indicted at New Orleans for violation of the Neutrality Law of 1818,⁹⁹ and brought to trial on May 31. Judge Campbell presided. Soulé defended him and secured a hung jury, which stood ten to two for acquittal and was discharged.¹⁰⁰

In a speech at Mobile, Walker indulged in his only comment on his relations with the Administration in his affairs. He stated that he had had the good will of Buchanan until the President became interested in La Séré's and Benjamin's Isthmus of Tehuantepec canal and railroad scheme. He added that Soulé had sailed to Mexico with these two officials of the proposed road and had thrown some obstacles in their path. Now, Walker declared, Buchanan desired to punish Soulé through striking at him.¹⁰¹ Professor W. O. Scroggs, an authority on this subject, states that Soulé had impeded La Séré and Benjamin's plans and that Buchanan was enthusiastic about those plans, but that it was "another story" as to Buchanan's revenging himself on Soulé by striking at Walker.¹⁰²

Walker's decree regarding the re-establishment of slavery appealed to the pro-slavery expansionists, but such Democrats as Jefferson Davis, Douglas, and Slidell opposed his plans. Slidell, as spokesman of the Administration in the Senate, made a strong attack on Walker. However, it is interesting to notice that when he censured Commodore Spaulding for arresting Walker and making a "martyr's crown" for him, that the *Delta* interpreted the criticism as an apology for the "outrage and blunder."¹⁰³ The same journal also held that Slidell was attempting to distinguish between National and private filibusterism.¹⁰⁴ Slidell had declared that the filibusters should have been arrested wherever they were on a vessel flying the United States flag.¹⁰⁵

⁹⁹*Courier*, January 26, 1858.

¹⁰⁰*Daily Picayune*, June 1, 3, 1858.

¹⁰¹Scroggs, *Filibusters and Financiers*, 339.

¹⁰²*Ibid.*, 339.

¹⁰³*Weekly Delta*, May 1, 1858.

¹⁰⁴*Ibid.*, May 1, 1858.

¹⁰⁵Scroggs, *Filibusters and Financiers*, 346.

Walker was so displeased at Slidell's speech before the Senate that he addressed an open letter to him on that subject. Although the letter was of such nature that probably Slidell hardly gave it a passing thought, if, indeed, it came to his attention, it is given here to show that political enemies of Slidell had evidently suggested something as to its contents:

New Orleans, April 27, 1858.

Sir: I have read a printed copy of your speech, delivered in the Senate on the 8th inst., sent to a gentleman in this city under your frank. It is, therefore, a copy, I presume, approved by yourself.

In that speech you take occasion to assail my public character. You industriously disclaim any intention to asperse my private reputation; and I am, therefore, obliged to consider your language concerning me as used in a political sense and for political purposes.

Considered in this light, justice to the cause I represent compels me to say that your speech, so far as it relates to my acts, is a tissue of misstatements, and that its insinuations are as false as its facts are groundless.

Your obedient servant,

WM. WALKER.¹⁰⁶

Hon. John Slidell.

In November, 1858, President Buchanan issued his anti-filibustering decree. But many among the politicians saw that Walker's sun was setting and he was left more and more to his own fate. If he had been succeeding, the story might have been different. In 1860, he planned another expedition to Central America and was executed after being captured in battle against Honduras.¹⁰⁷ News of his death was received in New Orleans with but little comment other than that he had so mismanaged affairs as to cause American influence in Central America to suffer for some time to come.¹⁰⁸ The *Delta* was consistent in its eulogy over the "martyr" who had not died in vain,¹⁰⁹ "It can not be conceived that the people, who, three

¹⁰⁶*Weekly Delta*, May 1, 1858.

¹⁰⁷Smith, *Parties and Slavery*, 256.

¹⁰⁸The *Daily Picayune*, New Orleans, of September 19, 1860, said: "... although there may be some qualities of mind and some public acts of General Walker that are calculated to win popular applause, it is doubtful whether his whole career has not been disastrous to the progress of liberal principles in Central America. He has created a deep distrust of all Americans... It is well that such expeditions with such results should end..." The *Picayune* went on to say that national and not individual enterprises or interventions were most desirable.

¹⁰⁹*Weekly Delta*, September 22, 29, 1860.

years ago, welcomed Walker, the defeated adventurer, with plaudits and acclamations, can today have totally forgotten him."

Louisiana's interest in American control in, or acquisition of, Nicaragua, was prompted by two considerations: first, desire to control an important commercial highway from which it was thought that New Orleans' trade would derive great profit; and second, desire to prevent the establishment of British or other European control. There is little, if any, evidence that the northern charge that the South was simply interested in adding more slave territory to the Union was warranted. In the early stages of Walker's career as a filibuster in Central America, even the conservative *Picayune* looked upon him and his cause with favor because of the hope that Walker might bring about governmental reforms which would result in improving commercial relations, which, in turn, would benefit both Central America and the United States. By some people he was regarded somewhat as a real humanitarian. Later, however, when he proved lacking in capacity for the leadership required, he was condemned as a bungler. The disappointment felt was not prompted by the failure to add more slave territory to the United States (for this was not the primary motive prompting interest in Central America), but was due to the failure to improve governmental conditions in, and the commercial relations of, Central America, from which it had been hoped that the United States as a whole, and New Orleans as a neighboring port, might profit.

(To be continued)



EDITOR'S CHAIR

By Henry P. Dart

FISHER'S,
"THE INTENDANT
SYSTEM IN
SPANISH
AMERICA."

A chapter in History that remains unwritten relates to the Intendant System in Spanish Louisiana. It appeared first in the group of officials accompanying Ulloa in March, 1766, with Loyola as Commissary of War and Intendant. He died in 1770 and his functions were discharged ad interim by Estevan Gayarre, the Comptroller. The latter was succeeded by Martin Navarro who came with Ulloa as Treasurer and served until 1788. We do not know when the shift in these offices was made. The Intendant's office was united to that of the Governor in 1788, and in 1794 this duality ended with the appointment of Francisco de Rendon as Intendant. He was succeeded about 1796 by Juan Ventura Morales. Thereafter Ramon de Lopez served, and Morales resumed the office in 1801.

It would thus appear that with the exception of the six years from 1788 to 1794, Spanish Louisiana always had an Intendant but our ignorance is such we know little about these men and absolutely nothing about the nature of the office or the scope of its authority, though we get from our histories occasional glimpses of the manner in which some of them conducted their administration. One (Morales) has received some attention chiefly because of his interference with the privilege of deposit at New Orleans enjoyed by the West after the American Revolution. Also his conflicts with the Spanish Governors over the granting of the public lands had an echo in our land litigation subsequent to the Cession.

Our ignorance is all the more lamentable in that for more than twenty years we have neglected the opportunity to study the system in Louisiana from the original records in Spain, where the orders and instructions to these officials and their multitudinous reports still survive. During that period, we have had in Louisiana scholarly institutions growing in strength and abounding in workers, but no effort has been made by them or under their inspiration to investigate and understand this prominent feature of the Spanish Government of Louisiana.

In other centers of knowledge during the same period, a series of studies throw light on the Spanish System of Government in America, that should long since have flagged the Intendant System in Louisiana as something to be investigated, particularly because it would appear a somewhat different method of administration was pursued here. As the Louisiana System was more or less a local instrumentality, it is not likely to be treated by other scholars interested in the larger features of the Intendant System as it was administered in Spanish America outside of Louisiana.

Among many books on these larger topics, we have the particularly meritorious work of Priestly on *Jose de Galvez* and Cunningham's *The Audencia in the Spanish Colonies as Illustrated by the Audencia of Manilla*, both emanating from the University of California Press. These books touch the system of Intendants only incidentally, but they are provocative and tempting and constantly suggest an investigation of the System of the Intendant, and now at last, *The Intendant System in Spanish America* has been subjected to modern methods of investigation by Lillian Estelle Fisher, Ph.D., Associate Professor of History in Oklahoma College for Women. Her book, published by the University of California Press, Berkeley, Calif., in 1929, is entitled to the attention of every one interested in Spanish Colonial Governmental Systems.

According to Miss Fisher the Intendant System formed no part of Spanish administration at home or abroad in the centuries of Colonial expansion preceding 1720, and it was first introduced in Spain in this last year as part of the centralizing policy of the Crown, which included the reorganization of the *Council of the Indies* and of the *Casa de Contratacion*. The Intendant System as thus created was modeled on the French System established by Richelieu, but Spain was apparently not able to use it successfully and it was suppressed only to be revived again in 1749. It proved successful on this second trial and under the influence and advice of such men as Jose de Galvez, it was extended to the colonies, Havana receiving the new system in 1764, under a model of that year based upon the Spanish Ordinance of 1749. Miss Fisher makes it plain that while this was a reform, it was only part of a general plan for resuscitation of the Empire under the constant exercise of the genius of Charles III. It is very curious that the System of Richelieu served as the original

model for the Spanish Intendant. We had during our French Colonial Era, an officer whose name, functions, and duties were an outgrowth of Richelieu's Intendant System, and this officer (the Commissaire Ordonnateur) filled an important place in our French Colonial System.

Miss Fisher's book is divided into two parts, the first, a general introduction in which she treats of the Establishment of the Intendancies, the four departments of Government under the Intendant System and the results of the System. This part occupies ninety-seven pages of the book and one regrets its brevity, for it is evident the author could have expanded it indefinitely to the great advantage of the theme, and to the profit and pleasure of her readers. It is a new subject and we are eager to explore it, but this does not affect our praise of that which she has provided out of the plenitude of her knowledge.

The remainder of the book (247 pages) is devoted to a translation of the Ordinance of the Intendants for New Spain. This is the *piece de resistance*, and Miss Fisher's ability has produced the first English version of this remarkable Code of Administration. Our space does not permit us to say more than this, that no matter what may be hereafter written on the Intendants of Louisiana, the author must first be saturated with this primal law. Here lies the rule and line that must be understood before entering upon the Louisiana System. The style of the text is illuminated by its rendition into scholarly english. It has been subdivided into paragraphs and sections to help the weary eye of the reader and the editorial work is sufficiently full to bridge over the hard places. The printer has done his part well and the author may rest assured that her book will hold its place among the choice few that recent years have produced on the Spanish System of Government in Spanish America.



**RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA
XLVI.**

October-December, 1744.

(Continued from January, 1930.)

By HELOISE H. CRUZAT.

Memorandum by Editor of the Quarterly

The hereinafter named officials participated in the Sessions and/or took part in the work of the Superior Council of Louisiana during the period covered by this instalment of the Index, viz:

de Vaudreuil, Pierre Rigaud Cavagnol, Governor (Inducted into office May 27, 1743. See L. H. Q. 6, p. 568, 1923)	Prat, Jean, Councillor Fazende, Jacques, Councillor Raguet, Jean Baptiste, Councillor
de Salmon, Edmé Gatien, First Councillor and First Judge	Lafreniere, Nicolas Chauvin de, Councillor
Le Normant, Sebastian Francois Ange, First Judge and Commissaire Ordon- nateur, successor to Salmon (Inducted into office October 24, 1744. See L. H. Q. 6, p. 571, 1923)	de Noyan, Gilles Augustin Payen, Lieutenant of the King
Henry, Nicolas, Notary and Clerk (Greffier)	Descloseaux, Jean Baptiste, Claude Bobé, Judge of the Department of Marine at Mobile
Fleuriau, Francois, Procureur General	Hierle, Francois, Sheriff at Mobile
Chantalou, Augustin, Sheriff (Huissier)	Cantrelle, an employee De Benac, — town major
Le Bretton, Louis Cesaire, Councillor Assessor	De Louboey, Henry, Commandant at Mobile
Pasquier, Jean Francois, Councillor Assessor (Inducted into office March 22, 1737. See L. H. Q. 10, p. 68, 1927)	Rochémore, — (We are now sure that this is the same Rochemore who later served as Ordonnateur under Kerlerec)

Oct. 3, 1744. **Session of the Superior Council** of Oct. 3, 1744,
No. 1021.
3 pp.

Judgments rendered
by Superior Council.

Nicolas Chauvin de
Boisclair, curator of
minor children of
Joseph Chauvin
Delery vs.
Laurence LeBlanc.

Mr. de Lafreniere
retired.

Madam Dubois vs.
Widow Flacon.

Francois Chastang
vs. Joseph Blanpin.

Widow Brunet vs.
Dubreuil.

Madam Tourangeau
vs. Andre Carriere.

Hardy vs.
heirs of Barbot.

were present MM. de Vaudreuil, Governor;
Mr. de Salmon, First Judge; de Lafreniere,
Raguet and Prat, Councillors..

Judgments rendered in following cases:

1. Between Sr. Nicolas Chauvin de Boisclair, as curator of minor heirs of Joseph Chauvin Delery and Widow St. Aignet, plaintiff, vs. Laurence Le Blanc, Widow St. Aignet, defendant: Council orders said Widow St. Aignet to render account in fifteen days at latest and to bear costs.
2. Madam Dubois, plaintiff, vs. Widow Flacon, defendant: Widow Flacon declared that her husband left nothing and that she is a creditor of his estate, defendant to have recourse on the goods of deceased Flacon. Costs compensated.
3. Sr. Francois Chastang, plaintiff, vs. Sr. Joseph Blanpin, defendant: Against the defendant by default ordering to pay on his share 1500 deer skins in a month at latest under penalty of paying damage and costs.
4. Widow Brunet, plaintiff, vs. Sr. Dubreuil, defendant: Council orders them to apply to the Comander and to the Captain of the Port, producing their papers to be ordered what is just. Costs reserved.
5. Madam Tourangeau, in absence of her husband, vs. André Carriere, defendant: Judgment in default and order that the damage be ascertained by Patert and Bernard Roche, to be decided on their report what is just.
6. Pierre Hardy, plaintiff and defendant, vs. children and heirs of Barbot, defendants and plaintiffs: Council orders that a meeting be called of relatives and friends of the parents to elect a curator to the minors. Costs compensated.

Signed: Vaudreuil. Salmon. Lafreniere.
Raguet. Prat.

Oct. 4.2 pp. **Jean Barre** sells his third interest in a boat
Sale of undivided
interest in a boat. owned by himself in partnership with Messrs.
Nouguez and Gallot.

Oct. 5. 2 pp. **Madame Marthe Fremont**, widow of the late Philippe Antoine Brusle, hires to Andre Fabry, to serve him in the Indian trade, five adult negro slaves and a negro boy for one year for 1700 francs.

The Widow P. A. Brusle hires out six of her slaves for a year for 1700 francs.

Oct. 8. 1 p. **Jean Barbet** petitions the Superior Council for emancipation and Judge Salmon orders a family meeting to be held to decide whether the applicant who is 17 years of age, is capable of managing his own property and if they so find, that he be permitted to administer same in his own right.

A family meeting is ordered to be held to advise upon the emancipation of a boy 17 years old.

Oct. 19. 1 p. **Mathurin Dreux** agrees to furnish the King's warehouse at New Orleans with 217 barrels of corn on the cob at 9 livres a barrel. Mr. Dreux is a settler at Gentilly.

Contract to furnish corn to the Government.

Oct. 20. (25182) fo. 26. (2887) 1 p. **Report** in Registry of Superior Council by La Branche, a resident at Cannes Bruslees, that a negro named Herrot, aged about forty years, has run away, and he makes the above declaration so that justice may be done according to the exigencies of the case. Report certified by Henry, Greffier.

Report of a runaway slave from Cannes Bruslees.

Oct. 23. Two docts. 1 p. each. **Sieur Aufrere** files a memorandum as Trustee for his daughter, the wife of Pery, from whom she is separated in property, showing a total of 13,126 francs, which sum is paid to her by Henry, the clerk of the Council (Greffier), and a receipt is given therefor by Aufrere.

Oct. 24. 3 pp. **At a meeting** of the Superior Council at which were present Messrs. de Vaudreuil, Governor of the Province; Salmon, Commissary Intendant and First Judge in said Council; de Noyan, Lieutenant of the King in New Orleans; de Lafreniere, Fazende, Raguét, Prat, titular councillors; Pasquier and Le Breton, assessors; the commission of Le Normant was presented to serve in his capacity as Commissaire Ordonnateur and First Judge in the Superior Council in the place of Salmon. The commission from the King was read and ordered to be recorded in the registry of the Council and LeNormant was installed in lieu and place of Salmon who retired.

Induction into office of Le Normant as Commissaire Ordonnateur and First Judge of the Council succeeding Salmon in said offices.

An account of this inauguration has been translated and published under the title "A Session of the Superior Council of Louisiana in 1744," La. Hist. Qy., VI., 571-5.

The entry here summarized does not give the full name of the new Commissaire Ordon-

nateur, but other papers show that it was Sebastian Francois Ange LeNormant.

Oct. 24. **A plantation** situated between LaVergne and Piquery is sold by the former for 600 francs, 1 p. 400 in cash. Document almost effaced.
Sale of plantation.

Oct. 27. **Destrehan** certifies that he has received from Henry, Clerk of the Superior Council, a package, which he, Destrehan, deposited with him on 19th September past and which is returned to him sealed and intact.
1 p.
Receipt of package deposited in Registry.

Nov. 1. **Deposit** in Registry of Superior Council of the (25189) sum of 6720 livres by Sr. Jean Baptiste Prevost, who declared that the said sum is in (3891) treasury notes in Colonial money, belonging fo. 26. 1 p. to deceased Mr. Mayeux de Lormaison, proceeds of account settled between him and Mrs. Mayeux, his wife, October 1, 1743, which he holds to pay a note of like value given by said Mayeux to Sr. Joly of Amiens. The said sum of 6720 livres was presently counted and receipt furnished by the Clerk of the Council.
(See Dec. 18, 1744.)
Deposit of Treasury notes in the registry by J. B. Prevost to be used to pay a note of a decedent.
Signed: Prevost. Henry, Greffier.

Nov. 3. **On October 26, 1744**, Sr. Henry de Louboey brings suit at Mobile against Mr. and Mrs. Melizan to rescind his purchase from the defendant of a negress named Manon on the ground that the slave is an epileptic. He avers that the transaction between himself and defendant was an exchange whereby they received the negress in question in exchange for Junon, a negress of the plaintiff, together with a note of the defendant's for 38 piastres and 12 piastres in coin. They pray that Manon be placed in the King's Hospital; that they be allowed to deposit the money and the note and that the transaction be annulled and Junon and her two children be returned to de Louboey, saying that he desires this to be done, because he feared that Madame Melizan will ill-treat Junon and her children, one of whom is two or three years and the youngest born since the transaction. He prays that the sale be declared fraudulent and surreptitious on the part of the defendants and that they be ordered to pay costs.
2 pp.
Suit by de Louboey at Mobile against Melizan and wife to rescind exchange of slaves on the ground that defendant's slave received by plaintiff is an epileptic.
This is an early instance of the rehibitory action still permitted in Louisiana law as to animals.

Oct. 26, 1744. Permission to cite parties "next Thursday" to order what is just after hearing.

Signed: Bobe Desclozeaux.

Citation in said cause.

Oct. 27, 1744. Notice of citation served by Francois Hierle, sheriff, in the jurisdiction of Mobile, on Sr. Melizan, notary and greffier, and Madelaine Roge, his wife.

Subpoenas to witnesses.

Notices to witnesses served on Sr. St. Jean, chief surgeon of the King, on Jean, negro of Sr. Furne, on the negro of Mr. Talon, on a negress of the King named Jeanneton, to be interrogated and confronted on petition of Mr. de Louboey, Commandant of Mobile, by order of Mr. Desclozeaux, commissioner of the Marine and Judge in the Jurisdiction of Mobile.

Signed: Francois Hierle, Huissier Royal.

Nov. 3, 1744. Proces verbal of Bobe Desclozeaux, Judge of the Department of Marine, acting with the Sr. de La Lande, greffier, covering the testimony of several witnesses in the above cause taken at Mobile.

The record does not show the decision rendered in the cause.

Nov. 5.
(25190)
(3892)
fo. 26. 2 pp.

Fragment of will of Madame Flacon.

Nuncupative Will of Francoisé Albert, widow by her first marriage of Gaspart Didier, by her second of Jean Louis Mathé, called Flacon. Acknowledges that she owes 50 livres to the Curé of the Parish, which he intends shall be paid prior to all other debts. She declares that she has two heirs from her marriage to Didier, one of whom, a daughter, married one Pasquier, and died with her child. She gave her a dowry of 2000 livres, which is about all she would have inherited from Didier. (The script ends here.)

Nov. 6.
(25192)
(3893)
fo. 26.
1½ pp.

Declaration that the appearer has opened a letter, in error as it was not intended for him but for another of same surname.

Declaration in Registry by Sr. Joseph Dupré, Marine Cadet, that having gone to the Government house this day the steward (maitre d'hôtel) of Governor de Vaudreuil informed him that he had a letter from France, addressed to Mr. Terre Bonne Dupré in Louisiana. Having unsealed and read it he saw that it was not for him. It contained a procuration from Canada, and a note signed by Sr. Amiault for 4000 livres in currency of France, dated July 18, 1743. He returned it

and makes the present report to serve as need may be.

Signed: Dupré. Henry, Greffier.

Nov. 9.
(25194)
fo. 26.
(3894)
2 $\frac{2}{3}$ pp.

Amicable adjustment
of the succession of
William Huet.

Amicable Agreement between heirs of deceased Huet. Dame Perrine Riouet, widow of Guillaume Huet and Henriette Huet, his daughter, to avoid further contentions concerning the division of said Huet's estate have agreed on advice of friends to pay to Sr. Ignace Petit, who married Francoise Huet, the sum of 1400 livres, as a refund for the advances made for settlement of said succession, and for payment to the Company of the Indies, moreover she promises to deliver seven head of horned cattle to him as coheir in said succession, Widow and daughter Henriette to remain in peaceable possession of remainder. All other agreements to be null and void.

Signed: Petit. henriete huet. Cariton. petit. Chantalou. Henry, notary.

Nov. 14.
(25197)
fo. 26.
(3895)
1 $\frac{1}{2}$ pp.
Procuration.

Procuration by Sr. Antoine Chauvin des Islets, about to leave for trade with the Choctaws, to Sr. Jean Baptiste Faucon Dumanoir, his father-in-law, whom he empowers during his absence to act in his name in all his general and private affairs.

Signed: Chauvin Desilets. Chantalou. Cantrelle. Henry, notary.

Nov. 17.
(25199)
fo. 26.
(3896)
6 $\frac{1}{2}$ pp.

Procuration from
owner of the Assump-
tion to compel
Avignon to account
for merchandise left
in his possession.

Seal of Rey.

Statement of unsold merchandise from the cargo of the ship "the Assumption" turned over to Mr. Claude Regnaud, called Avignon. Procuration before Notaries Royal by Le Chavalier proprietor of the said ship to Simon de Cruis* to compel Sr. Avignon to render account and to receipt and discharge as need be.

Signed: Lur. Bugard.

Nov. 14, 1744. Certified by Jean Francois Rey, Seneschal, Councillor and Civil Judge at Cap Francois, Coast of San Domingo. Sealed with his seal on unstamped paper as stamped paper is not in use in this Colony.

(Signed) Rey.

*(Probably: de Gruis or Gruy.)

(25207)
4 pp.

Account presented by Avignon, merchant of New Orleans to Mr. Devries, holding procuration of MM. Juet and Pre Millot, merchants of the "Cap." Proceeds of the effects of the cargo of the Assumption, which were remitted to him by MM. Auger and Hucasol, managers of the cargo of said ship sold to different parties as follows: (List follows.)

List of expenses such as piloting, warehouse charges, commission, etc. Total of credit and debit and other charges.

Signed: avignon. Devries.

Nov. 18.
(25212)
fo. 26.
(3897) 3 pp.

Procuration to
settle succession.

Procuration in blank by Louis Glachant, empowering whomsoever he may name to compel his uncle, Francois Glachant, his tutor, residing at Noyel, to render account of all the goods of the successions of his father and mother and of the revenues thereof since their decease, empowering him to sell all movables and immovables, pay the debts of said estate and other costs, to collect those due, to receipt and give discharge, following the Custom of Paris.

Signed: Louïs Glachant. Chantalou. Cantrelle. Henry, notary.

Nov. 19.
(25215)
fo. 26.
(3898) 1 p.
Petition of Chauvin
de Boisclair to Le
Normant, First
Judge of the Superior
Council to recuse on
account of family
connection, Coun-
cillors de Lafreniere
and Fazende and
Le Bretton, Coun-
cillor Assessor, and
Fleuriau, Procureur.
And to appoint
substitutes to act
in their places to
hear the lawsuit
brought by the
petitioner against
Mr. and Mrs.
LeBlanc.

Sr. Nicolas Chauvin de Boisclair Delery acting as curator of the minor children, emancipated of Sieur Joseph Chauvin Delery, and Dame Laurence Le Blanc, his widow, now wife of de St. Agnet (also written Aignet), declares that in the case pending before the Superior Council for accounts to be rendered by the said widow to her children, he prays MM. de Lafreniere, Fazende, councillors; Le Bretton, assessor in said Council; and Fleuriau, Procureur General of the King, to abstain from rendering judgment on said suit, considering the connections between them and the family of the minors, petitioning Mr. Le Normant, First Judge in the Council to appoint a substitute to the Procureur Général and to any other judge as he may deem proper.

Signed: Boisclaire. Henry, Greffier.

See Dec. 7, 1724. (3)

Nov. 22.
(25216)
fo. 26.
(3899)
6½ pp.

Marriage contract
between de Montaut
Chevalier de Mont-
beraut and Francoise
Laurence LeBlanc,
widow of de St.
Aagnet.

Marriage Contract of Messire Henry Aymé Elizabeth de Montaut, Chevalier de Montbérault, Marine Lieutenant, son of deceased Messire Joseph Hector de Montaut, Marquis de Montbérault and of deceased Lady Marguerite de Blondel, a native of Polaminy, County of Foix, Bishopric of Ryeux, on one side; and Dame Francoise Laurence Le Blanc, widow of Mr. de St. Agnet, during his life Lieutenant of the Troops, on the other side.

Signed: henry aimé. elizabeth Montaut de Monberaut. francoise Lorance leblanc. Vaudreuil. helene de moriere fazende. noyan. Alexandre Vielle. Louboey. arlut tixeran. De Benac. Tixerant. fleuriau. helene fazende. Le Chr macarty. Chantalou. Marguerite delery. joseph bruslé. Laurence chauvin. Cantrelle. Bellile. Jousset Laloir. Le blanc de laloire. Lenormant. fazende. Henry, notary.

May 4, 1748. Order by the Council that donation to Sr. de Montberaut of a child's share by Dame Laurence Le Blanc, Widow Delery, be filed in Registry for full execution, which was done on above date; in folio 52. Signed: By the Council.

May 4, 1748. Consent by Mr. Raguet that the present contract of marriage be registered for execution in its form and tenor; Signed Raguet.

Nov. 24.
(25223)
fo. 26.
(3900) 7 pp.

Marriage contract
between Des Ruis-
seaux and Marie
Girardy, widow of
Joseph Milon.

Marriage Contract of Sr. Joseph Des Ruisseaux, son of deceased Joseph Des Ruisseaux, "Seigneur de L'Isle Pai . . ." and of Francoise Cuillerier, a native of Montreal, Canada, and of Marie Francoise Girardy, widow of Sr. Joseph Milon, resident of Mobile and contractor for the King's work at said place, said widow a native of Bayou St. Jean, New Orleans, Bishopric of Quebec.

Signed: J. Deruisseaux. francoise Girardy veuve Millon. Melizan. j. Cartier. Laurens Lerable. Marianne anvrier. Chantalou. Cantrelle. Henry.

Nov. 25.
(25255)
fo. 26.
(3901) 3 pp.

Procuration by Charles Francois Daguerre, soldier of Mr. de Membrede's company, in the Marine troops, to (blank) to represent him in the affixing and raising of the seals on the goods of Marguerite Toulet, widow of Sr. Da-

Procuration.

guerre, and to act for him in settlement of Daguerre succession.

Signed: Charles Daguerre. Chantalou. Cantrelle. Henry, notary.

Nov. 26.
No. 1023.
7 pp.

Inventory succession
of Martin Nantier,
called Soissons, of
Pointe Coupee.

Rochemore appears
here for the first
time in our records.

Inventory of goods of succession of deceased Martin Nantier, called Soissons, by order of Mr. Le Normant, Commissioner of the Marine and Ordonnateur, on petition of Adrienne Houssard, widow of said Nantier, Daniel Hubert de la Croix representing the said widow. (Nantier was a resident of Pointe Coupée).

Signed: Beaupré. fleuriau. Chantalou. Raguet. Rochémore.

Nov. 30.
(25259)
fo. 26.
(3902) 2 pp.

Marriage contract
between Paul Malet
and Marie Barre,—
a fragment only.

Marriage Contract of Paul Malet, son of Pierre Malet, merchant at Detroit and of Madeleine Tuvé du Frene, a native of Montreal, Canada, and of Marie Jeanne Barré, minor daughter of Paul Barre and Marie Jeanne Girardy, a native of New Orleans. (Only a fragment of this marriage contract. Signatures missing).

Dec. 2.
fo. 26.
(24904)
(3810) 3 pp.

Marriage contract.
Cave-Cable, executed
in Natchez, before
the keeper of the
King's store, acting
as notary.

Marriage Contract dated April 30, passed at the Post of the Natchez, Roumier, Guardian of the King's store, acting as Notary, between Jacques Cavé, resident of the said post, son of deceased Fiaere Cure and Cecille Plumelle, a native of Mardie, Parish of St. Martin, Bishopric of Orleans, on one side; and Marie Magdelaine Cable, daughter of deceased Leonard Cable and of Catherine Wofs, a native of the German Coast, widow of Pierre —.

Signed: Jacques Cavé. Le Chcr Dorgon. chapart. Duplessis. De La Barre. Joly. Desbordes. Roumier, acting notary.

Contract registered by Jacques Cavé in the presence of witnesses.

Signed: Cavé. Chantalou. Cantrelle. Henry, notary.

Document in bad condition.

Dec. 2.
(25261)
fo. 26.
(3903) 2 pp.

Acknowledgment
of debt.

Acknowledgment of indebtedness to Sr. Favrot for 150 livres, by Sr. Daguiere, soldier in Marine troops, which sum he promises to pay to bearer of note, furnishing mortgage security for said payment.

Signed: Charles Daguerre. Chantalou. Cantrelle. Daguiere. Henry, notary.

Document badly stained and charred.

Dec. 4.
(25263)
fo. 26.
(3904) 3 pp.

Substitution of
a procuration.

Transfer of Procuration of Miss Amyault by Sr. Pery to Sr. Antoine Aufrere, for settlement of succession of deceased Sr. Amyault D'Auseville, substitution being authorized by Miss Amyault's procuration to Pery, who is unable to carry out the responsibility on account of pressing business. The said succession is in charge of Sr. Barbin, attorney of Vacant Estates.

Signed: G. Pery. aufrere. Dlle Dupart. Chantalou. Cantrelle. Henry, notary.

Dec. 4.
(25268)
fo. 26.
(3905) 2 pp.

Contract between
Le Normant,
Commissaire-
Ordonnateur and
Pierre Cousin to
build a warehouse
at the Balize.

Contract between Pierre Cousin, carpenter, and Monsieur Sebastian Francois Ange Le Normant, Councillor for the King, Commissioner General of the Marine and Ordonnateur in this Colony, for the carpenter work on a warehouse (magazin) at the Post of the Balize, measuring 50 ft. in length by 30 ft. in width by 9 ft., 6 in. in height; with a door 4 ft., 4 in. in width, full details and conditions, enumerated, the work to be submitted to the King's Engineer, wood and nails at expense of the King, which will be paid on certificate and approval of the King's engineers, as stipulated in contract, with deduction of the tax for the invalids of the Marine. Passed at the Intendency in the presence of Sr. Augustin Chantalou and Francois Roumier as witnesses.

Signed: pierre cousein. Lenormant. Le Bretton. Chantalou. Henry. (Ragged edges.)

Dec. 4.
(25265)
2 pp.

See (25263) same
date. See Dec. 4,
(25263.) Dec. 5,
1724—(9).

Substitution of
procuration.

Sr. Gerard Pery holding procuration of Miss Bernarde Amyaut to settle succession of "Sr. Raymond Amiault" D'Auseville, which is intrusted to Sr. Nicolas Godefroy Barbin, attorney of Vacant Estates, substitutes Sr. Antoine Aufrere, his father-in-law, as his special and general attorney in this case, remitting to him for that purpose the procuration granted him by said Miss Bernarde Amyaut, copy of which has been deposited in office of undersigned notary with other papers concerning said succession, Sr. Pierre de Lisle Dupart, giving pledge and bond for Sr. Aufrere, on clause and condition that as returns come in from Sr. Barbin they will be turned over to Sr. Dupart all of which has been accepted by said Aufrere, here present.

Signed: Henry, notary.

Dec. 5.
No. 1024.
2 pp.

Judgments rendered
by Superior Council.

Session of Superior Council of Dec. 5, 1744, were present Gov. de Vaudreuil, Le Normant, First Judge; de Noyan, Lieutenant of the King; De Benac, Major; de Lafreniere, Raguet, Fazende and Prat, Councillors; de Louboey, Commandant at Mobile.

Judgments rendered in following cases:

Le Normand
petitioner.

1. Marin Le Normand, petitioner: Ordered to remit sum of 50 livres to the Curé of this City for masses for the repose of the soul of deceased Brunet and to pay costs.

Dupre vs. Barbin.

2. Joseph Dupré, acting under procuration of Jean Baptiste Dupré, vs. Barbin, attorney of Vacant Estates, charged with succession of deceased D'Auseville: Council nonsuits plaintiff and sentences him to pay costs.

Caue vs. Du Breuil.

3. Sr. Francois Louis Caue, plaintiff, vs. Sr. Du Breuil, Jr., defendant: Judgment against defendant who shall pay 3074 livres, 3 sols, 6 deniers, and costs.

Desvies vs. Judice.

4. Sr. Desvies,* plaintiff, vs. Sr. Nicolas Judice, defendant: Against plaintiff who must pay costs.

Andrieu vs. Devries.

5. Sr. Jean André Andrieu, plaintiff, vs. Simon Desvies,* defendant: Council orders defendant to furnish statement of the sale of the cargo of the ship "la Société", as well as of the expenses and the merchandise in evidence in eight days at latest. Costs compensated.

(*Thus in text but should be Devries.)

Petit vs.
de Bonneterre.

6. Ignace Petit, plaintiff, vs. Sr. Dupre de Bonneterre, defendant: Council orders defendant to vacate plaintiff's house in three months, dating from Nov. 1st, last day covered by lease and to pay costs.

Tourangeot vs.
Carriere.

7. Wife of Tourangeot, plaintiff, vs. Andre Carriere, defendant: Carriere ordered to pay plaintiff the sum of 52 livres, according to report made by experts for injury to her cattle and to pay costs, to have recourse against whom it shall appertain.

Gauthereau vs.
Lorreins.

8. Jean Baptiste Gauthereau, as husband of Elizabeth Lorreins, plaintiff, vs. Jacques Lorreins, defendant: Council withholds judgment until arrival of defendant; costs reserved.

Aufrere, agent, vs.
succession of
D'Auseville.

9. Gerard Pery, acting under procuration of Bernarde Amyaut, substituting Antoine Aufrere as attorney, vs. Sr. Barbin, attorney of Vacant Estates, charged with succession of deceased Sr. Raymond Amyaut D'Auseville: Council orders Sr. Barbin, in his official capacity, to render account of Sr. D'Auseville's succession to the D'Auseville heirs and to remit the papers concerning it, in three months from date.

Signed: Lenormant.

Dec. 5.
4 pp.

Excerpt from
Registers of
Superior Council:
Caue vs. Du Breuil.

Sr. Francois Louis Caüe, plaintiff, vs. Sr. Du Breuil, the elder son, as defendant: Defendant ordered to pay the sum of 3674 livres, 3 sols, 6 deniers, due on merchandise furnished since July 19, 1735, until April 21, 1739, and interest due on said debt, carrying out two previous decrees given by default. Costs on defendant.

Signed: By the Council.

Henry, greffier.

(23176)

Notice of seizure
in said case.

Dec. 28, 1744. Notice served on Sr. Du Breuil by Sheriff that he has an order to seize his movables and immovables, for payment of merchandise furnished from July 19, 1735, until April 21, 1739. Signed: Beaupre.

Jan. 9, 1745. Notice of seizure served on Sr. Du Breuil, on petition of Sr. Caüe, for merchandise, valued at 3674 livres, 3 sols, 6 deniers, all his movables and immovables to be sold until payment of said sum. Notice and copy of decree left with said Du Breuil by Beaupre, sheriff.

Receipt for slave.

Jan. 22, 1745. Receipt for negro La Fortune sent to Robert Avarre by Nicolas Ducret, called Belhumeur.

Dec. 7.
(1025)
4½ pp.

Judgments rendered
by Superior Council.

Session of Superior Council of "Nov. 7, 1744," (evidently meant for Dec. 7, 1744, as indexed in margin). Were present MM. de Vaudreuil, Governor; Le Normant, First Judge; de Noyan, Lieutenant of the King, de Benac, Major; de Lafreniere, Raguet, Prat and Le Breton, Councillors.

Judgments rendered in following cases:

Caue vs. du Breuil.

1. Sr. Francois Caüe, plaintiff, vs. Claude Joseph Villars du Breuil, Sr., defendant for his son: Judgment in default against

- defendant, ordered to pay sum of 3674 livres, 3 sols, 6 deniers, and to bear costs. (See Dec. 5, 1744. (23176.) Jan. 9, 1745.)
- du Breuil vs. Daunoy. 2. Sr. Du Breuil, Sr., vs. Sr. Daunoy, defendant: Council orders Sr. Daunoy to pay the remaining quarter of corn; acting on Sr. Daunoy's petition, orders Du Breuil to pay 468 livres due for wood furnished and to meet his note, in all 480 livres, parties to have recourse for their other demands. Costs compensated.
- Boisclair vs. LeBlanc. 3. Sr. Nicolas Chauvin de Boisclair, as curator of minor heirs of Joseph Delery, vs. Dame Laurence Le Blanc, his widow, defendant: Council orders that account rendered by said Laurence Le Blanc, widow of St. Aignet and all evidence be produced before Mr. Raguet, named as referee and that the whole be reported to the Procureur General of the King to be passed on, costs reserved.
- Barbot vs. Hardy. 4. Between Jean Barbot and Pierre Hardy, rendering account, plaintiff and defendant and Jean Barbot for himself and as curator of his brother, defendant and plaintiff: The Council before deciding orders that the said account be submitted in order to be examined, before Mr. Raguet, to be afterwards reported to the Procureur General of the King.
- Langlois vs. Dubois. 5. Sr. Langlois, plaintiff, vs. Sr. Dubois, defendant: Council orders that the pirogue be examined by Dupart and Cantrelle, whom the parties have appointed arbitrator, and after oath taken before Mr. Raguet, that apraisement of said pirogue be made before delivery, to be ordered thereon what is just. Costs reserved.
- Devries vs. Judice. 6. Between Sr. Devries holder of a note signed by deceased Gruau, plaintiff, vs. Nicolas Judice, testamentary executor of deceased Gruau, defendant: Council orders the testamentary executor to pay the sum of 4000 livres, carried on the face of the note, dated April 15, 1740, and to bear costs.

- Dusigne vs. Gautereau. 7. Sr. Dusigne, plaintiff, vs. Sr. Gautereau, defendant: Judgment in default against defendant, costs reserved.
- Judice vs. Gautereau. 8. Sr. Nicolas Judice, plaintiff and defendant, vs. Sr. Gautereau, defendant: Judgment in default against defendant and certificate of his appearance given to plaintiff. Costs on defendant.
- Songye vs. Carriere. 9. Sr. Songye, called La France, plaintiff, vs. Sr. Andre Carriere, defendant: The Court has rendered judgment in default against defendant and ordered that he pay costs.
- Balquet vs. Lantier. 10. Sr. Balquet, surgeon, plaintiff, vs. Jacques Lantier, defendant: Council orders both parties to appear in a month. Costs reserved.
- Couilleret vs. Bouchard. 11. Sr. Pierre Couilleret, plaintiff, vs. Pierre Bouchard, called L'éveillé, defendant: Council rejects plaintiff's demand and orders him to pay costs.
- Gautereau. 12. Gautereau, plaintiff; —, adjourned.
- Petit vs. Huet. 13. Ignace Petit, husband of deceased Huet's daughter, plaintiff, vs. Perrine Riout, widow Huet, defendant and plaintiff in opposition; (page missing). See March 30, 1744, (23809); April 1, 1744, (23703); June 2, 1744, (24934); Nov. 9, 1744, (25194.)
- Raguet vs. La Brosse. 14. Sr. Raguet, plaintiff, vs. La Brosse, in his capacity, as defendant: Council orders defendant to pay 400 livres for Bourguine's effects and to bear costs.
- Signed: Lenormant. Noyan. Vaudreuil. lafreniere. fleuriau. Raguet. Prat.

Dec. 9.
(28270)
fo. 26.
(3906) 2 pp.
Bond by Dupart
for Aufrere.

Sr. Pierre Delisle, called Dupart, furnished bond for Sr. Antoine Aufrere, substitute attorney, in place of Sieur Gerard Pery, holding procuration of Miss Bernarde Amyaut, sister of Sr. Raymond Amyaut D'Auseville, once attorney of Vacant Estates. Sr. Dupart asks that effects and papers of said succession, in possession of Sr. Barbin, attorney of Vacant Estates, be turned over to Sr. Aufrere, at the same time demanding that nothing be sold, pledged, nor alienated without an order from

the Superior Council, and that returns of sale of effects and other proceeds of said succession be remitted to him if he so demands.

Signed: Dlle Dupart. Aufrere. fleuriau. Raguet. Henry, Greffr.

See: Dec. 4, 1744, (25265); Dec. 4, 1744. (25263.)

Dec. 10.
(25273)
fo. 26.
(3907) 2 pp.

Sale of real
property in N. O.

Sale of a lot in New Orleans, No. 371 Bourbon street, by Jean Baptiste Becquet and his wife Catherine Bivrand, to Gilbert Cacadier Dusigne, with the improvements thereon, for 3500 livres. Said property acquired by Becquet from Gatien Bredy, called Touranjot, last June; Touranjot held same from Capraise Mathieu by private sale in October, 1739; and Mathieu had it from judicial sale of property of Simon Roussét. Becquet's wife declared that she could not sign nor write and document is signed by J. b. Becquet. Cacadier Dusigne. Chantalou. Cantrelle. Henry, notary.

Dec. 12.
No. 1026.
1 p.

Judgment of
Superior Council.
Moreau vs. Moreau.

Session of Superior Council of Dec. 12, 1744, were present MM. Le Normant, First Judge; de Louboey, Lieutenant of the King; Desclo-seaux, Comptroller; and Prat, councillor.

Judgment rendered in case of Marianne Girardon, wife separate in community of Jean Moreau, plaintiff jointly with Louis Viger, her son, vs. Jean Moreau, defendant: Council orders Moreau to remit to his wife and to the children of deceased Viger the negroes owned by succession of said Viger and to render account of the administration of same, and that minors be assisted by a curator forbidding him to ill treat his wife or her children under penalty of punishment to follow his disobedience. Costs reserved.

Signed: Lenormant.

Conclusions of the
Procureur General
in the same case.

Dec. 12, 1744. Following petition presented by Marianne Girardon, wife, separate in property of Jean Moreau since July 13, 1743, and separate from bed and board since Oct. 6, 1736, Fleuriau, Procureur General of the King, demands that said Moreau remit to Marianne Girardon and to children of Louis Viger the negroes of the succession and that he render account of the administration of their goods, advising that the wife be assisted by a curator

and that one be appointed to the children, forbidding Moreau to ill treat his wife and her children. Costs reserved.

Dec. 15.
(25279)
fo. 26.
(3909) 3 pp.

A family meeting is held in the above case to recommend a curator and special tutor as suggested by the Procureur General and ordered by the judgment.

The deliberations are homologated and the curator and special tutor recommended by the family meeting are appointed by the court.

Appointment of Joseph Le Kintrek, called Dupont, as curator of Augustin Viger, emancipated under benefit of age. He appeared before the Superior Council with Jean Baptiste Raguet, and Mr. Fleuriau, the Procureur General, and his mother, Marianne Giraudon, wife separate in property of Jean Moreau, previously widow of Louis Viger, who approved of said appointment, and who as mother and tutrix of Marianne, Joseph and Genevieve Viger asks that a special tutor be named to said minors, for which purpose she has had cited Sr. Jacques Cantrelle, Sr. Joseph Le Kintrek, Sr. Augustin Chantalou, Jacques and Michel Judice, all friends, in the absence of relatives, to elect a special tutor to said minors. Their advice was that Sr. Joseph Le Kintrek be special tutor as he was curator of Augustin Viger and that Sr. Jacques Cantrelle act as curator to the widow which on report, after oath taken by said parties, was homologated.

Signed: Marianne Giraudon. J. Cantrelle. Iekintrek. Chantalou. Jacque Judice. nicolas judice. fleuriau. Raguet. Henry, Greffr.

Dec. 15.
(25277)
fo. 26.
(3908) 2 pp.

Procuration.

Procuration by Armand Honoraty, Marine carpenter to Simoneau, a baker, in the city of Rochefort, to have seals raised and inventory made of effects of succession of * to render account of same, as well as of funeral expenses, medicines and nourishment furnished his deceased wife; also to collect from the treasurer of the Marine at Rochefort his salaries amounting to 50 livres per month, half of which he wishes to be used for support of Marie Bareau, daughter of his deceased wife.

Signed: A. honoraty. Chantalou. Cantrelle. Henry, notary.

Dec. 16.
(25282)
fo. 26.
(3910) 4 pp.

Obligation for 8000 livres by Mr. Jean Baptiste Raguet to Mr. de Salmon, former Commissioner and Ordonnateur in Louisiana for a family of eight negroes, all delivered except-

Salmon, former Commissaire-Ordonnateur sells a family of eight negroes to Jean Baptiste Raguet, but one of the slaves is taken by Salmon to France as a servant, to be returned to him on the next ship.

ing Dominique, a cook, whom the vendor has reserved to serve him in the King's ship which will leave shortly, and whom he promises to send back to Raguet by the first ship that will return to Louisiana, obligating himself to defray all expenses, and to deduct from said obligation if the said slave should die or be taken by the King's enemies; J. B. Raguet promising to pay said 8000 livres in coin or bills of exchange on the General Treasurers of the Marine, addressed to Mr. de Salmon's commissary residing at the Cross of St. Denis Street in Paris ("a la Croix de la Rue St. Denis a Paris"); payment to be made in four years, none of the slaves nor their progeny to be sold or pledged until full payment.

(25286)

Jan. 2, 1745. Receipt to Mr. Raguet for 1600 livres.

Signed: Salmon.

Jan. 20, 1745. Mr. Le Bretton under procuration of Mr. de Salmon acknowledges having received from Sr. Raguet the sum of 400 livres in coin on account of the above obligation, to complete payment due on first term.

Signed: Le Bretton.

Aug. 6, 1746. Receipt for 2000 livres. (Document so charred as to be crumbling).

Signed: la freniere. Raguet. Le Bretton. Lenormant. Henry, notary.

Dec. 16.
(25284)
2. pp.

Notarial Copy
of foregoing.

Salmon, late
Commissaire-
Ordonnateur who is
about to leave for
France, takes his
slave cook Dominique
with him.

Notarial Copy of Document 25282, Acknowledgment by Jean Baptiste Raguet of his obligation to Mr. de Salmon, former "Commissaire-Ordonnateur" in Louisiana, for the sum of 8000 livres due on a family of slaves, numbering eight heads, who have been delivered to said Raguet with the exception of one Dominique, a cook, head of said family, who is to serve Mr. de Salmon during his passage to France on the King's ship, about to leave, promising to send him back at his expense, and to deduct his value 2,500 livres from sum due if he should die in his service or be taken by the enemies of France. Payment of said slaves is to be made in coin or notes of exchange on the General Treasurers of the Marine, addressed to Sr. Hersan, Commissary of my said Sr. de Salmon, residing at the "Cross of St. Denis Street in Paris," said payment to be com-

pleted in four years, 2000 livres each year, none of the said slaves to be pledged nor sold until their full payment; Sr. Raguet furnishing mortgage security on his movables and immovables particularly on said slaves. This act was passed in notarial office, Dec. 16, 1734, in the presence of Srs. Augustin Chantalou, Jacques Cantrelle, witnesses residing in New Orleans.

Signed: Henry, notary.

This document in Sorbonne script.

Dec. 17.
2½ pp.

Suit to compel the
Attorney for Vacant
Estates to render
account of the
succession of
Renaud.

Petition to the First Judge of the Superior Council, by Pierre Avrillon, officer on the ship L'Eléphant, acting under procuration of Marie Galouchau (Galucheau) for citation of Sr. Barbin, attorney of Vacant Estates, to render account of succession of Sr. Renaud, son of constituent, which came into his possession from his predecessor Sr. D'Auseville.

Signed: Avrillon.

Citation issued. Signed: Lenormant.

Notice served on Sr. Barbin at his domicile by Beaupré, sheriff of the Superior Council, Dec. 17, 1744.

Document worm eaten.

Dec. 18.
(25293)
fo. 26.
(2913) 3 pp.

Procuration.

Procuration by Marguerite Bourras, widow by her last marriage of Marine Captain de Lusser and by her first marriage of Mr. de Bouille, Captain of the Regiment of Blaisois, constituting her sister-in-law, widow of Francois Bourras, her special and general attorney to administer all her goods coming for her first marriage and from the second.

Signed: Veuve Lusser. Cantrelle. Chantalou. Henry, notary.

Document very pale, in parts entirely effaced.

Dec. 18.
(25296)
fo. 26.
(3914) 2 pp.

Contract of hire of
two negro men
(slaves) at 40
piastres in coin per
month for each.

Contract of hire of two negroes pièces d'Inde, by Sr. Francois Chastang to Sr. Jacques Cartier to serve him in the voyages he intends to make to Mobile and other places, accepting responsibility for every emergency except natural death, obligating himself to feed them and see that they have treatment and medicines in case of illness. The agreement is called a lease and covers one year at 40 piastres in

coin per month for each negro, payable quarterly, said Chastang accepting bond furnished by Mr. Olivier, Secretary of the Governor.

Signed: Chastang. j. Cartier. Chantalou. Cantrelle. Henry, notary.

Dec 18.
(25288)
(3911)
fo. 26.
2½ pp.

See Dec. 18, 1744.
(26683.) May 15.
Nov. 1, 25189.

Procuration by
Widow Plassan to
Mayeux de
Lormaison at Cap
Francois, San
Domingo.

Procuration in blank by Francoise Plassan who has been officially informed of the death of her husband, Sr. Nicolas Mayeux de Lormaison, at Cap Francois, San Domingo where he was established as a merchant. She empowers her attorney to have seals affixed on his goods and after full and loyal inventory to have the goods appraised that were owned by her deceased husband so that the constituent may accept or renounce the succession as to her interest.

Owing to the difficulty in this Colony of communication with the said Isle, the constituent promises to accept and ratify all transactions of her attorney or his substitutes who shall have the same latitude as the special attorney.

Signed: F. plassan veuve Mayeux. D'Auseville. Chantalou. Henry, notary.

(26683)

Certified copy of
the foregoing.

Dec. 18, 1744. Notarial Copy of Procuration in blank of Francoise Plassan widow of Nicolas Mayeux de Lormaison, in community of property with her deceased husband, to represent her in settlement of his estate.

Dec. 22, 1744. Certification by Sebastien Ange Le Normant, General Commissioner of the Marine Ordonnateur and First Judge of the Superior Council, that Sr. Henry, Greffier of the Superior Council and Notary Royal has signed and delivered the above procuration.

Signed: Lenormant.

"By my said Sr. Raguet and son."

Seal in red wax of Le Normant.

Dec. 18.
(25291)
fo. 26.
(3912)
1½ pp.

Procuration by
Athanase de
Mezieres.

Procuration by Mr. Athanase de Mezieres, son of deceased Mr. Cristophe de Mezieres and of Dame Henriette Cluny de Chatellier to blank whom he empowers to pay the debts his father may have contracted prior to his departure from Paris for this Colony and to act in his name in the settlement of the succession of his father promising to ratify all his transactions, this procuration to subsist until revocation of

same. A. Demezieres. Chantalou. Cantrelle. Henry, notary.

Document very pale with curled and ragged edges.

Dec. 19.
(25298)
fo. 26.
(3915) 6 pp.

Marriage contract
Pierre Couturier,
surgeon 4th Com-
pany, Swiss
Regiment of Karrer,
and Marie Fran-
coise Le Kintrek.

Marriage Contract of Sr. Pierre Couturier, surgeon in the Fourth Company of the Swiss Regiment of Karrer, son of Benoist Couturier and Marie David, a native of Tassaon in Poitou, Bishopric of Poitiers; and Miss Marie Francoise Le Kintrek, minor daughter of Jean Joseph Le Kintrek, called Dupont and of Anne Marie Pose, a native of New Orleans.

Signed: Couturier. mari jeanne Le Kintrek. lekintrek. daniell bops. Mentzing. joly. julie leveque. francoise Le Kintrek. Cantrelle. Chantalou. Henry, notary.

Dec. 19.
(25314)
fo. 26.
(3616) 1 p.

Sale of negro slave
with notice he is
subject to epileptic
fits.

Sale of a negro called L'Eveill , by Jean Pierre Hardy of New Orleans, to Antoine Patin Belhair of Pointe Coup e, for the sum of 1300 livres. The negro was formerly called Balinquant and the purchaser knows that he is subject to epileptic fits but is satisfied with the sale.

Signed: hardy. Chantalou. Cantrelle. Henry, notary.

Dec. 19.
(25305)
fo. 26.
(3917)
2½ pp.

Procuration by
Joseph Favrot,
Marine Captain.

Procuration in blank by Sr. Joseph Favrot, Marine Captain, and by Dame Louise Elizabeth Brusl , his wife, to collect arrears of the revenues of the excise on salt, due or to fall due, said attorney to represent them in claims, defense, oppositions, appeals, election of domicile and appeals.

Signed: favrot. brusle de favrot. Chantalou. Henry, notary.

Dec. 19.
(25308) 1 p.

Receipt in full
to a debtor of the
Company of the
Indies.

Receipt to Le Kintrek, called Dupont, for full payment of his debt to the Company since 1742.

Signed: Prevost.

Filed in Registry Dec. 19, 1744.

Signed: Raguet.

Dec. 20.
(25311)
(3919) 3 pp.

Sale by Auction of two lots in New Orleans owned by Sr. Andr  Carriere in New Orleans, adjoining Sr. Broutin and on the corner of the street opposite Mr. de Lafreniere, following

Auction sale of two lots of ground in N. O. at 4100 and 4500 livres respectively.

decree of Mr. de Salmon of the 14th inst. All formalities fulfilled, lots were duly put up for sale and bid on by Prevost for the sum of 3700 livres cash, and no other bidders having presented themselves, sale was adjourned to eight days hence.

Signed: fleuriau. Raguet.

Dec. 24, 1744. The corner lot was finally adjudicated to Sr. de Benac at 4100 livres, acting for Sr. Macarty.

Signed: Salmon. De Benac. fleuriau.

The second lot adjoining Mr. Broutin to Sr. Benac at 4500 livres.

Signed: De Benac. Salmon. fleuriau.

Dec. 20.
(25315)
fo. 26.
(3920)
2½ pp.

Procuration by
Gautier de
Montreuil.

Procuration by Mr. Robert Gautier de Montreuil, Marine officer, son of Mr. Jacques Gautier, Inspector of the King's buildings and of Dame Marguerite Derbonne, to blank, whom he empowers to demand that account be rendered of all that he may be heir to from his deceased father and mother or of other relatives, this procuration to subsist until revocation of same.

Signed: R. Montreüile. Cantrelle. Chantalou. Henry, notary.

Dec. 20.
(25318)
fo. 26.
(3921)
2½ pp.

(Date in margin and at end of document do not correspond but this is textual.)

Procuration by
Charles De La
Vergne to collect
and divide arrears
of salt excise.

Procuration by Sr. Charles De La Vergne, Marine officer, to Pierre Aubin Moulin, merchant of the spices, in Paris, to collect the revenues accruing to him on arrears of the subsidies of the excise on salt, through the decease of his sister, Miss Elizabeth de la Vergne; the first of 1109 livres, 16 sols, due on a principal of 44393 livres, which were reduced 1520 livres, also a revenue on a principal of 60800 livres, listed to the profit of Miss Anne Warnier, wife separate in property of Louis Vassat, burgher of Paris, usufruct to heirs born or to be born to Mr. and Mrs. Pierre de la Vergne and his wife, Elizabeth Billet, the fund, following notarial act passed at Paris in 1723, copy of which has remained annexed to the record, reverting to Miss Elizabeth de la Vergne, to Sr. Jean Jeuden, apothecary of Paris and to Jaques Pascal Guerin, merchant of Spice, each to one half of 600 livres of perpetual annuity on a principal of 12000 livres, under bond of Sr. and Dame de la Vergne and of the constituent who have relinquished 1109 livres annuity and

principal and have delegated to Srs. Jeudon and Guerin, each one half of 600 livres of revenue to be taken on said contract; the second and third to succession of Angelique Marguerite de la Vergne, widow of Claude Giraud; the third of 123 livres, 6 sols, by decree of Council on a principal of 6166 livres, 17 sols, 6 deniers, for the land taxes only half of which is still in use in the King's states. Passed at New Orleans, Dec. 29, 1744.

Signed: LaVergne. Chantalou. Cantrelle. Henry, notary.

Dec. 24.
A 4411.
Slip.
Sale of plantation.

Sale of plantation situated between La Vergne and Piquery for 600 livres by Lavergne.

Signed: Mark of X francoyse disserne fame de Lavergne. Gueho (witness) Vautier.
Document pale and stained.

Dec. 24.
(25334)
fo. 29.
(3924) 1 p.
Notice of death
of a slave.

Report in Registry of the death of a negro named Holoferne, owned by succession of deceased Burel, by Helene Houart, widow Burel, now married to Michel Broset. The slave died of pneumonia on Nov. 28, 1744.

Signed: helene broset. Henry, Greffier.

Dec. 24.
(25335)
fo. 26.
(3925) 1 p.
Deposit of papers
in the registry of
the Council
by Devries.

Deposit by Devries of a letter requesting him to pay to Mr. Destrehan, or on his order, the sum of five hundred and eighty-four piastres, two and a half reals, for a like sum paid to me by the said Destrehan to cover costs of cargo of the St. Jean Baptiste, for which sum he "has debited himself in our account current" of the voyage to the Balize this 24th of Sept., 1744. Collated copy made this instant and remitted to Captain Devries who signed it.

Signed: Devries.

(25336)

Request to Madame Le Normand three months from date of presentation of this note by Mr. Devries or to bearer of note at the Cape, to remit the sum of one thousand piastres in coin (gourdes) which he remitted to me. Dated Dec. 8, 1744, from New Orleans. Collated copy furnished Dec. 24, 1744.

Signed: Devries.

(25338)

Report by Jean Guedon, Chief Surgeon at New Orleans, dated Dec. 19, 1744, that he has examined Sieur Lantier who is confined to his bed with a fistulous abcess in the left groin,

which prevents him from embarking on the said boat, he details treatment needed. Col-
lated copy furnished Dec. 24, 1744.

Signed: Devries.

Dec. 25.
(25321)
fo. 26.
(3922) 5 pp.
Marriage contract
Vincent-Labbe.

Marriage Contract of Guillaume Vincent, son of
Christophe Vincent and of Helene Patin, a
native of St. Malo, Bishopric of St. Malo and
Miss Charlotte Labbé, minor daughter of Sr.
Jean Labbé and Cristine Allard, a native of
New Orleans, Bishopric of Quebec.

Signed: guillaume vincent. Charlotte labbé.
la veuve labbé. Lepré Vincent. Dlle Dupart.
labé. Le melle. Chantalou. Cantrelle. F.
Goudeau. Henry, notary.

Dec. 26.
(25331)
fo. 26. (3926)
1½ pp.
Sale of an
Indian slave.

Sale of an Indian slave of Chickassaw nation, by
Francois Noyan to Joseph Verret, both resi-
dents of Cannes Bruslées, for the sum of 1100
livres, colonial money.

Signed: Verret. Chantalou. Cantrelle.
Henry notary. Noyan does not sign having
declared that he does not know how to write.

Dec. 26.
(25341)
fo. 26.
(3927) 1 p.
Report of a theft
committed opposite
Cannes Bruslees.

Report in Registry by Jean Pugeol, residing op-
posite Cannes Bruslées, of a theft committed
in his negro cabins in broad daylight, about
six weeks ago, of 40 livres of Treasury notes,
several skirts and corsets, an apron of calico,
ox hides, and a "Ber"* of coarse linen, che-
mises, a new cap, and a loin cloth of Limburg;
this declaration made to serve as need may be.

Signed: "puieaul." Henry, Greffr.

Note—"Ber" was a frame made of canes
stuck in the ground, surrounding a mattress,
over which was thrown a linen or muslin cover
to protect sleeper from mosquitoes.

Dec. 26.
(25342)
fo. 26.
(3928) 2 pp.

Donation by Fran-
cois Noyon of 3000
livres to the minor
daughter of an
Indian woman of
the Fox nation.

Donation "Entre Vifs," made by Francois Noyon,
a resident of Cannes Bruslées, in full posses-
sion of all his faculties, to Jeannette, aged
about eleven, daughter of Marie, an Indian
woman of the Fox nation, freed by Jean Huet,
of the sum of 3000 livres to be paid from the
most valuable and freest of his goods, after
his death, in recognition of the services that
said Noyon received from said Jean Huet and
the Indian Marie, hoping that she will be given

the chance to establish herself, and should the daughter die without posterity, the legacy to be null and void, praying that his heirs pay her the said sum without any difficulty, for validity of said donation, wishing it to be registered in minutes of Superior Council and elsewhere if necessary constituting his attorney (procureur) the bearer of these presents whom he empowers to execute what has been agreed on. Promising, obligating, renouncing, etc., passed in notarial office before witnesses.

Signed: Verret. f. arnaud. Henry, notary. Noyon declared that he could not write nor sign.

Dec. 26.
(25344)
fo. 27.
(3929) 1 p.

Declaration by Joseph Larche, that he has come to N. O. from his plantation to attend a suit and expects to hold himself here at the cost of whom it may concern.

Declaration by Sr. Joseph Larche, tutor of Julianne Larche, that he has come to New Orleans, from his plantation, in order to prosecute Francois Jahan and Francois Lemelle, called Bellegarde, for payment of 1205 livres for rent due since last April to the Convent, and that as this is his sole business here, and that he does not wish to repeat expenses incurred, he will remain here until final decision, at cost of whom it concerns.

Signed: Henry, Greffr.

Dec. 28.
(25346)
fo. 27. (3930)
2½ pp.

Procuration of Joseph Perault, soldier in Membrede's Company of Marine troops.

Procuration by Joseph Perault, soldier of Mr. Membrede's Company of Marine troops, to blank, whom he empowers to have account rendered of the succession of Catherine Michel Vifvareme, collect all that may be due to said Perault, receipt and discharge in his name and all necessary proceedings, this procuration to subsist until revocation of same.

Signed: joseph perot. Chantalou. Cantrelle. Henry, notary.

Dec. 29.
(25349)
fo. 27.
(3931) 2 pp.

Procuration by Augustin Chantalou, Clerk of the Superior Council.

Procuration in blank by Sr. Augustin Chantalou, clerk of Registry, son of Dr. Jean Chantalou and Charlotte Jollete, both deceased, to collect all that is due or to fall due on the succession of his parents and to demand that account be rendered by the detainers of their goods, to close, sell all goods movable and immovable, plead, protest, and to act for him as he may think proper, promising to ratify all his

transactions, this procuration to subsist until revocation of same, even in special cases, on account of the distance.

Signed: Chantalou. Roumier. Cantrelle. Henry, notary.

Document stained with torn margins.

Dec. 29.
(25351)
fo. 27.
(3932) 1 p.

Acknowledgment of
Balthasar Ponfrac
de Masan, of the
Cap, San Domingo,
of payments made
by Sr. Rasteau.

Acknowledgment by Sr. Balthasar Ponfrac de Masan, acting under procuration of Sr. Lassus de Marsilly, resident of the Cap at San Domingo, of payment of 4334 livres with that of 2066 previously sent to his constituent, amounting to the sum of 6400 livres paid by Sr. Rasteau through Mr. Sevet, by which both Rasteau and Sr. Couturier are duly discharged.

Signed: le chr de Masan. lenormand. Chantalou. Henry, notary.

April 3, 1740. (25355.) Acknowledgment before notary by Sieurs Joseph Francois Couturier and Paul Rasteau, that they have jointly acquired from Sr. Marsilly his share and portion in the community between him and his deceased wife, Genevieve Burel, previously Widow Trepagnier, whose succession, after being verified, has been settled. (Detailed statement showing balance due him to be 6400 livres, which Srs. Couturier and Rasteau have promised to pay before he leaves for the Cape.)

Signed: Couturier. Henry, Greffr.

Dec. 29.
(25357)
fo. 27.
(3933)
2½ pp.

Procuration by
Jacques Antoine
Le Borne.

Procuration in blank by Jacques Antoine Le Borne and his wife, Jeanne Bettemont, to represent and act for them in case of decease of Charlotte de Lomel, widow of Jean Cottonaye, residing at Clermont in Beauvoisy, mother of said Genevieve Bettemont, the constituent, to have good and loyal inventory taken of all movables and immovables of said succession, to pay legitimate debts of said Charlotte Lomel, to do for constituents what he would do for himself in collections and settlement of said succession, empowering his attorney to act in all cases that might require their presence, on account of the distance. His wife declared that she could not sign.

Signed: Le Borne. Chantalou. Cantrelle. Henry, notary.

Dec. 30.
(25360)
fo. 27.
(3934)
2½ pp.

Contract of hire of
a negro, his wife
and two children,
Pieces d'Inde
(here called a
rent lease) for one
year at 650 livres.

Rent Lease of a negro, his wife and two children, Pieces d'Inde, by Joseph Des Ruisseaux and his wife, Francoise Girardy, previously Widow Milon, to Sr. Vincent Lepré (also Despres) to serve him in the voyage he intends to make on the other side of the Lake and elsewhere for the term of one year, for the sum of 650 livres, the lessee to be responsible for anything that may harm the said slaves except natural death; without any deduction in case of illness.

Signed: j. Deruisseaux. Chantalou. Cantrelle. Henry, notary.

June 1, 1746. (25361.) Receipt by Sr. Daniel Hubert La Croix, acting for Mr. Desruisseaux, to Mr. Vincent Lepré for 650 livres, in full payment of negroes leased from Sr. Desruisseaux.

Signed: daniel hubert. Henry, notary.

(To be continued)



**✓ INDEX TO THE SPANISH JUDICIAL RECORDS
OF LOUISIANA
XXVIII.**

February-October, 1778.

(Continued from January, 1930.)

LAURA L. PORTEOUS

February 10, 1778.

**Thomas O'Keef vs.
Captain Don Baltazar
de Villiers.**

No. 3658. 12 pp.

Court of Governor Galvez.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To collect various notes
in money and tobacco.

Plaintiff, signing himself Thomas O'Keeffe, presents four original notes and alleges that Captain Don Balthazaed de Villiers, now Commander at the Post of Arkansas owes him 243 pesos, 6 reales, as a remainder on a debt which he has been unable to collect. He asks Galvez to order this obligation paid. Petition granted. In a second request

O'Keeffe states that the defendant has shipped various commodities to be sold in this capital, through his agent, Santiago Livaudais. He asks that he be called upon to declare under oath what funds he has in his possession belonging to Mr. de Villiers and if he has any to order them seized. Livaudais declares that he has nothing in his keeping belonging to Mr. de Villiers, that the money obtained from the sale of some effects sent to him has been used to pay a debt due the King. The plaintiff then asks for a declaration from Francois Menard whom he has been told has money belonging to the defendant. Mr. Menard says that Miss Helena Voisin and Mrs. de Villiers had sent him 200 pesos asking him to do them the favor of sending them some little things for their wardrobe, but that Mr. de Villiers had not sent anything. This declaration ends the record.

February 11.

**Joseph Dussieaux vs.
Esteban Bore.**

No. 3639. 4 pp.

Court of Governor Galvez.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To collect a mortgage debt.

The plaintiff claims 13 pesos from Esteban Bore, Commander of the German Coast due the Degruis minors for the purchase of a plantation and asks for a writ of execution which is ordered issued. This ends the record which contains a certified copy of the act of sale as an exhibit.

February 14.

Prosecution of Mariano Fernandez, a sailor of the King's schooner, named The Lord of the Yedra.

No. 3645. 5 pp.

Court of Governor Galvez.

No Assessor.

No Escribano.

This record consists of a certified copy of a letter dated from the Balize, January 7, 1778, written to the Governor General by Luis Andry, Captain of His Majesty's schooner to inform him that on the night of the 5th of this month a sailor on board, Mariano Fernandez had a fight with and attempted to kill another sailor,

called Alonzo Garcia; this dispute took place off the Coast of the Bay of Saint Bernardo, or of Tampico. He used a machete to stab his companion but was overcome and disarmed by the other sailors who awakened the Captain and delivered the weapon to him. He has turned Fernandez over as a prisoner to Commander of the Balize, Don Zenon Trudeau who will send him to the capital at the first opportunity so that he may suffer the punishment that Governor Galvez considers fit for a crime of this kind committed on board of one of the King's ships. The Commander has replaced Fernandez with another voluntary sailor from this Port whose name he takes this occasion to send to the Contaduria with the date of his entry on board. He also adds that he is sending to the Governor all the documents appertaining to the affair.

Upon receipt of this letter Galvez on Odoardo's advice rules: Having seen the letter that His Lordship exhibits for the escribano to draw up the certified copy to be put at the beginning of these proceedings in which it appears that the sailor, Mariano Fernandez acted disrespectfully on His Majesty's schooner, lacking in respect to its commander and Captain by causing quarrels and disturbing the crew and as this action was grave for the discipline of the ship and a bad example to the rest of the sailors he condemns him to two years labor in this Province, on rations and without pay. Let the Contador of the Royal Treasury be notified of this decree so that he may make the necessary entry in the records.

A marginal note stipulates that a copy of the foregoing sentence was delivered to the Contaduria, February 14, 1778.

March 6.

Sale of the schooner, "The Dauphine" by her Captain, Pedro Forgeaud.

No. 3646. 6 pp.

Court of Governor Galvez.

No Assessor.

No Escribano.

The record opens with an inventory of the schooner which is followed by a statement signed by Armand Magnon, a carpenter and two Captains Malahar and Vincent as to necessary and indispensable repairs that should be made on the schooner which will amount to 650 piastres.

The vessel was condemned as unseaworthy and with the approval of Gov. Galvez was sold at public auction, and adjudicated to Etienne Plauché for 700 pesos.

Then comes Captain Pierre Forgeaud's petition to the Commissioners of His Most Christian Majesty to the effect that he sailed from Port au Prince (West Indies) to come here and to return with the same ship loaded with a cargo of wood and on the journey he found himself in danger of perishing because of the great quantity of water his ship took. Considering its unseaworthiness which has been confirmed by a statement signed by a carpenter and two Captains after thorough investigation, he says it is impossible for him to pay for the necessary repairs added to the long delay from his home port. His ship owners would blame him to the prejudice of his honor and reputation. He asks that the schooner be laid up to try to obtain the best advantages possible for the owner.

The two Commissioners for the King of France, Messrs. Favre Daunoy and Villars upon due consideration decide that if it be the pleasure of His Catholic Majesty's Governor, as the ship is unseaworthy it will be to the best advantage to sell it judicially.

The Captain then petitions the Governor for permission to sell. Upon the approval of the sale by the French King's Commissioners, Galvez orders the schooner sold at public auction. The three calls for which are made on March 9, 18, and 27 and on the 30th the auction is held. The only bidder is Etienne Plauche who offers 700 pesos, in hard money, to be paid for within four months. The schooner is knocked down to him at his bid. On the margin of this sale dated August 17, 1778, is a note to the effect that by receipt Forgeaud delivered the schooner to Etienne Plauche.

March 9.

Intestate Succession of Luis Le Houx, inventory and valuation of the estate.

No. 3648. 8 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, Juan B. Garic.

formal will the deceased has left a private one naming Miguel Poupet testamentary executor. Let him be appointed guardian of the estate who must accept and take oath and let them proceed to the taking of the inventory and placing a valuation on the estate. Poupet is notified, accepts and is given the keys by the escribano and the inventory, appraisement and sale is

The first entry is the official notice of Le Houx's death, stating that he has left heirs, then comes the certification of the death and the collection of the keys on an order from the Alcalde. Almonester and Garic both testify that no will had been filed in their Archives. Alcalde Dufossat rules that although there was no

made. The estate is small and consists of house furnishings, wearing apparel, guns, powder, swords. When sold all bring 50 pesos, 2 reales.

March 15.

**Intestate Succession
of Juan Lamothe.**

No. 3651. 48 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, Juan B. Garic.

The usual formalities having been complied with the Court appoints Juan Baptiste Benoist de Ste. Claire as guardian of the estate and Francisco Broutin, defender of the absent heirs, both accept and qualify, and Mr. de Ste. Claire receives the keys of

the estate. Broutin and Ste. Claire petition to make an inventory and valuation of the estate. The first names Luis Le Sassier as his appraiser, the second Francisco Liotau and the inventory and valuation is made at Santiago Lamothe's house situated on Bayou St. John, where the late Juan Lamothe had lived. The estate consists of his bed room furnishings, clothes, guns, books, trinkets, jewelry, carpenter's tools, papers, showing debts for and against the estate and slaves. The guardian then presented a sworn statement of the merchandise that he had placed in the possession of his brother in Atakapas, which is a certified copy of the original made by Chevalier Alexandre Declouet, Commander of the Post, dated April 23, 1778.

The interested parties then ask the Court's approval and to order all to abide by it, interposing its judicial decree. Dufossat rules: that with the consent of both parties he approves the inventory and appraisement and in consequence condemns them to abide by it and that the records of the case be delivered to the deceased's heir so that he may promote what belongs to his representation.

Messrs. Benoist St. Claire and Broutin then ask to have the estate sold at public auction. Dufossat rules accordingly. The public calls are made on May 21, 24 and 27 and the sale is held on June 1st. This is followed by a statement dated April 23, 1778, signed Chevalier de Clouet of the merchandise left by the late Jean Lamothe with his brother, Santiago, now deceased. This statement is presented by Juan Baptiste St. Claire who petitions that Santiago La Mothe's widow be ordered to make a statement of what effects she has in her possession belonging to Juan La Mothe and what debts in money are due to it and to present the papers or documents showing what partnership existed between the two brothers.

Juana Chevalier under oath sets forth that she has no knowledge of any partnership existing between the Lamothe brothers and has never found any document to that effect, but she is certain that Juan Lamothe left in his house at Opelousas, the merchandise mentioned in the note or statement attached, signed by Mr. de Clouet, and that were sold at auction with

all the effects belonging to her late husband, one half to be paid at the end of this year, the other at the end of next, but she has to ask compensation for the full amount of a note for 300 pesos that Juan Lamothe owes her inheritance.

A copy is filed with this record, of the sale and adjudication of the effects dated Opelousas, April 21, 1778, amounting to 1249 pesos, 6 reales, and is signed by Chevalier de Clouet. Juan B. Benoist St. Claire petitions that an equal division be made of the proceeds from the sale. This closes the record.

March 16.

Genoveva Viger, Widow Labe, vs. Pedro Clermont to prevent him from taking possession of a certain property.

No. 3665. 11 pp.

Court of Alcalde Dufossat.

Neither an assessor nor an escribano mentioned.

Plaintiff presents two certified copies of notarial acts, the first dated New Orleans, March 5, 1769, by which Mariana Girodon, widow by her first marriage of Luis Viger and by her second of Jean Baptiste Meaureau, about to depart for France, for one part; and for the other, Pierre Clermont, widower of Maria Anne Viger, daughter of Mrs.

Viger-Meaureau who died without having had any children by Clermont. He has already rendered her an account of his community with her daughter which she finds just. She renounces in her own name and in that of her children any demand on Mr. Clermont because of his community with her daughter. She declares that she owes him 60 piastres gourdes that he lent her. In payment for this debt she leaves with him a negress, Rosetta, which she gives him the power to sell. When this is accomplished he will pay himself the 60 piastres, besides this amount he must pay Mrs. Medesingue, her daughter, 12 piastres and the surplus will remain to her credit to be disposed of according to the orders she will give. These conditions he accepts and promises to fulfill. She also leaves with him a house and lot on Royal Street to be rented to the best advantage, but without the power to sell. He promises to take care of this house as if it were his own, and for the fulfillment of which he obligates all his present and future property.

The second exhibit is dated July 13, 1743, also a notarial act and is to the effect that Jean Moreau in the name of and as husband separated in property from Marie Anne Giraudon, widow of Luis Viger, mother and tutrix of the minor Viger children, he and his wife both here present and acting for one part and for the other, Joseph Le Kintrek called Dupont in the name of and as curator to Augustin Viger, emancipated, whose god-father, Mr. Cezar de Blanc and Mr. Fleuriau, Procurator General acting for the minors, both here present have

agreed that Augustin Viger, bachelor-surgeon (garçon chirurgien) in the King's Hospital in this city who wishes to go to France to perfect himself in his profession, will be in need of some money to take with him for his urgent necessities. Mr. Moreau, who has charge of all the slaves, both young and old, at present numbering twelve, valued at 1000, consents to give Augustin 300 livres as the part that he should receive from the revenue for several years to come and that he must not cost the community anything. He will also give him 200 livres on the revenue that he should receive from his father's estate. It being well understood that Mr. and Mrs. Moreau will not be called upon by him for further support.

Presenting these two exhibits, Genoveva Viger, widow Labe sets forth that as it will appear from these two documents, her mother now absent in France owes her a considerable amount from her paternal estate and has given her no accounting of it. When she went away she left a negress, Rosette, and a house in Pedro Clermont's charge, belonging to Luis Viger's succession, she asks that he be called upon to give an account of this property in a short space of time, adding that Clermont is just about to leave for the Atacapas where he lives and as there is much to reclaim from him she asks that he be prevented from leaving the city without concluding this transaction, or else leave his procuration with some one who will attend to the matter for him. Dufossat orders Clermont to render an account within fifteen days and that he must not leave the city until he has done so.

Pedro Clermont answers saying he has nothing in his charge and that all he has sold at public auction was some wrought silver which was used to pay the costs of the Court. He asks that the escribano certify to the truth of his statement and to make the plaintiff pay costs and discharge him from making his accounts. Dufossat rules accordingly. This ends the suit.

March 17.

Maria Catalina and Luisa Bardon petition to appoint Luis Chamard as their curator.

No. 3030. 5 pp.

Court of Alcalde Dufossat.

No Assessor.

No Escribano.

Two birth certificates are filed, the first dated November 13, 1763, and is to the effect that on that day Father Eustache baptized Luise, daughter of Remond Bardon and Marie Anne Verneuille, the god-parents were Jean Chamolean and Marie Anne Vilneau. The second is dated September 1, 1757, and certifies to the baptism of Catherine Bardon, daughter of Remond Bardon and Marie Anne Verneuille. The god-parents were Pliste Veillon and Catherine Bardon, signed Father Sebastien. The petition presenting the above certificates sets forth that they

are over fourteen years of age and ask to appoint their brother-in-law, Luis Chamard, their curator to claim their paternal inheritance. Dufossat orders Chamard notified so that he may accept and qualify. This he does, naming Luis Le Sassier as his bondsman. Chamard having complied with the requirements of the Court is appointed to the curatorship.

March 28.

**Criminal prosecution of
Pedro La Cabanne and
the mulatress Madelon,
belonging to Nicolas
Perthuis.**

No. 3650. 15 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, Juan B. Garic.

The title on the fly leaf of this record is not correct it should read: "Official criminal prosecution of Pedro La Cabanne for stabbing the mulatress, Madelon belonging to Nicolas Perthuy or Perthuis." It opens with Alcalde Dufossat's declaration that Nicolas Perthuis has just reported to him that the night before his mulatress, Magdalena came to

awaken him making a great noise and crying in the court yard of his house. Placidio who assists in his house opened the door and the woman rushed in complaining that Titon wished to kill her and that she had been wounded on the arm and that she was really covered with blood. This is a crime worthy of punishment, let the mulatress be summoned and examined on the circumstances of the act so as to find out the author, and also let all persons be summoned who may have any knowledge of the crime.

Under oath, Magdalena states that the night before at about nine o'clock she was seated on the steps of her master's house when Titon, the carpenter, stopped with her and begged her to concede him favors as she had been accustomed to do before. He told her he had not eaten, nor slept nor drunk for three days. She answered that all that had passed and that she did not wish to have anything more to do with him and as he went on persisting she went into the house and went to hers that is within the court and that he went into a free negress' house from which he jumped the fence and came back to plead with her, throwing himself on his knees, but she denied herself to him. She shut the door, but forgot that the window was open. Titon entered by it and again threw himself on his knees. She threatened to go waken her master if he did not go away. She, herself, went to Fanchon's house to complain to her because she had let him enter her house to jump over the fence. Just then Titon came running up to her with a hatchet in his hand to maltreat her, crying: "Here I am" then she ran into Fanchon's house who prevented him from entering, saying that it was very shameful to persecute a woman so and to enter her house. She went to her own house by way of the same fence, shut her doors and went to

bed. At that moment she heard Titon throwing stones on top of her cabin, then she began to scream and went to tell her master, who had gone to bed. He went to his door and told Titon to keep quiet and go away and if he did not in the morning he would make a complaint of him. Titon then went away and she returned to her cabin and closed the door and window. In about an hour Titon came back and forced open the door. She was then in bed with one called Chabote, Captain of a boat, they were asleep and were wakened by the noise, just then she felt the wound from a blow with a sword or a knife, but she does not know with what sort of a weapon because of the darkness. She ran to her master's house, leaving Titon attacking Chabote whom he wounded with the same instrument. It was some time after before they opened the door at her master's because they were asleep, but finally Placidio, who lives with her master was roused and she went in to complain to her master and to let him see her wound.

Francisca, called Fanchon, the free negress, is the next witness, she said that on the night of the twenty seventh or twenty eighth of the month at about nine o'clock she was in her house eating supper, when she heard a noise in the street and saw Madelon with Titon behind her running after her with a stick. She entered her own house in a hurry and heard Titon strike a blow with the stick at that moment, but she did not follow them. Magdalena went to tell her master, who told her to go to her cabin and close the door. Then Titon came to the witness' house, asked to be excused for his boldness in pursuing the mulattress to her house. He remained to talk with her and her friends, San Juan and Pedro Mulatto of the Bay, for the space of a half hour and on going said that it was anger that had moved him to maltreat the mulattress. She knows nothing more as she went into her house. Her story is confirmed by the free mulatto, Pedro, the next witness.

Juan Tennoir said that on the night in question on coming from Mr. Montreuil's plantation he went to Fanchon's house at about nine o'clock and saw a man running after a woman, but did not know if she was a negress, mulattress, or white, nor did he know who the man was, but that Fanchon told him it was Titon.

Joseph Placidio confirms Magdalena's story and Cladio Chabote the next witness to be called says that on the night of the twenty seventh to the twenty eighth he was sleeping with the mulattress in her house in her master's court yard, he was awakened by a stab given by a sword, or a knife, or some other instrument, but he did not know what kind, or by whom and that he got up immediately, but did not see anyone as the malfactor had disappeared. He found that he had been wounded in the knee and the mulattress in the arm. He

noticed that the malfactor had not raised the mosquito bar as this was cut by the same instrument and that he had entered by the door that he had forced open. Magdalena told him that this act was committed by an old lover of hers, Titon, who had been to her house two or three times a short while before to molest her. The last time he came it was with a stick and that she had escaped by running into the house of Fanchon, the free negress.

This summary investigation is considered by the Court sufficient to warrant the arrest of the accused. Alcalde Dufossat orders the necessary writ issued for Titon's arrest and for all his property to be seized and placed with the general receiver and let the warden of the prison certify that he holds Titon in prison. The arrest is made by Francisco de Bouigny, according to Francisco Muñoz, the jailor's certification and on April 3rd, Titon's confession is taken in the presence of Alcalde Dufossat and the escribano.

The accused says he is named Pedro La Cabanne, born in Hart, diocese of Bayonne, a resident of this city and a carpenter by trade. Asked if on the night of the 27th to 28th of the month just past if he did not go to Nicolas Perthuis' house to see a mulatress and to ask her to sleep with him. He said he was working on one of the King's ships, he left his work at nightfall and went to Perthuis' house to ask him for a real's worth of brandy and that Mrs. Perthuis sold it to him and finding that he did not have any money to pay for it with, he went to his house to get a peso, then he returned and gave it to her and she changed the peso.

Asked if it was at this time that he talked with the mulatress. He answered that just as soon as Mrs. Perthuis gave back the rest of the peso which took place in front of the door, the mulatress came up and seated herself on the steps and remained near all the time and all during Mr. and Mrs. Perthuis' supper and until they had finished eating it, then the mulatress went away and he went to his house. Questioned if he did not return to the Perthuis house to talk to the mulatress? He said no he did not return.

Asked if he ran behind the mulatress with a stick, or with a hatchet? He said that it was before when he was with her in front of the door that passing from time to time, the mulatress entered Fanchon's house and told her that he, Titon, was in the court yard of her house, but that he answered that it was a lie as he was in the street asking her if she took him for a thief. He had a stick in his hand, but he did not threaten anyone with it, nevertheless she went into Fanchon's house and he did not see any more of her. He remained with Fanchon for a little while talking with her son and a mulatto who was near by. Asked if they had one called San Juan with them? He said no.

Questioned if after having entered Fanchon's house he did not tell her that he was very much enraged against the mulatress? He said no he did not say any such thing that he did not feel anything against the mulatress. Reminded why did he say he was seated in the door with the mulatress they remained together until her master and mistress had their supper and then the mulatress got up and went to her house, when he says later that the mulatress went into Fanchon's house and did he not say besides that he entered this same house behind her as he had declared? He answered that really the mulatress had entered the house but that she turned to go out and that he was already in the street and was therefore in the street when the mulatress entered Fanchon's house to tell her he was in the court yard of her house he heard her and answered that he was in the street as in fact he was, because Fanchon had asked him what he wished to do to the mulatress and that he had answered nothing, nor did he do anything to her.

Asked if this was before, or after he had entered the mulatress' cabin by the window to beg her to let him go to bed with her? He said that this is false, he had not entered her cabin after the ninth of November of the year just past, or better, to say from the first day that he began to work on the King's ship which is about five months ago.

Questioned if at about eleven o'clock he had not returned and entered the cabin by forcing open the door? He said no this is false, for the five months that he has worked on the King's ship he has not set foot in Magdalena's cabin but twice and then only to look for something to drink.

Asked if after having entered the cabin he did not wound with a sword, or other instrument, the said mulatress and one called Chabot, finding them in bed together. He said no and referred them to what he had said above.

Questioned as to why he is a prisoner and by whom arrested? He answered that while working on the King's ship a man called Martin notified him that Captain Francisco de Bouligni wished to speak to him and that he went to Mr. Bouligni's house who asked him if he had not gone to Mr. Perthuis' house on the evening of the night in question. He said yes he had gone to look for some brandy and then Mr. Bouligni explained to him that he was a prisoner and he went to the jail and was placed therein by his orders.

Other questions were put to him touching on the case, but he referred them to what he had already said which is the truth under his oath and he signed with the Alcalde. His confession having been read to him he ratified and confirmed it, adding that if a man called Daniel be summoned, who lives in the same house with him, he will testify that the prisoner

was in bed at nine o'clock of the night in question. Signed Dufossat and Pierre La Cabane.

Dufossat rules to appoint Francisco Broutin prosecuting attorney who must be notified for his acceptation and oath and deliver to him the records of the case within three days so that he may draw up the accusation of his charge. This ends the record.

April 1.

**Juan Suriray vs.
Miguel Cantrelle.**

No. 3663. 4 pp.

Court of Governor Galvez.

No Assessor.

No Escribano.

To collect a debt.

Juan Suriray, Lieutenant of Militia claims a debt of 300 pesos from Miguel Cantrelle, Commander ad interim at the Post of the Acadians and as he lives on his plantation he asks that the escribano send this petition to him to obtain his declaration. Galvez grants the petition, ruling: Issue a despatch to the

Commander, Nicolas Judice with an enclosure of the petition, this decree and the original note, the escribano to keep a certified copy of it to be retained here. The Commander to take the necessary proceedings at the Post and transmit them to this Tribunal by the escribano's hand. The record ends with the certified copy of the note.

April 7.

**Public Sale of the bark
named "The Ruby"
belonging to Santiago
Clasmorgan at the request
of Antonio Bastere, agent
for the owner.**

No. 3631. 4 pp.

Court of Governor Galvez.

No Assessor.

Escribano, Juan B. Garic.

Antonio Bastere, holding Mr. Clasmorgan's procuration, in his absence, says his constituent has sent from Martinique, under French passport, the ship, "The Ruby," Captain Darmore, Master, which arrived in port on the 5th of last month. He was obliged to lay it up on the 30th of the same month because the King's carpenter and the Captain of the port have condemned the

said ship to have many repairs made. This can not be done for lack of funds. It is a great expense to keep the ship laid up so he petitions for permission to sell, as it is uncertain when Mr. Clasmorgan will return and he does not know where he is at present. Galvez grants the petition.

The public calls for the sale are made April 7, 17, and 25 and the auction held on May 4, when the ship is sold to Juan de Armora for 305 pesos.

April 28.

**Juan Baptista Macarty
vs. Mr. Devillier, Jr.**

No. 3653. 4 pp.

Court of Governor Galvez.

No Assessor.

Escribano, J. B. Garic.

To collect a debt.

Plaintiff claims that Chevalier de Villiers, Jr., resident of Natchitoches owes him 1829 pesos, 7 reales, which he has been unable to collect. He asks that the defendant acknowledge the debt before the Commander of the Post and if he does so to order his property at the post seized to to the extent of the debt, its one-tenth and costs. Galvez orders a despatch issued to the Lieutenant Governor of the Post of Natchitoches with the original note, retaining a copy of same and filing it at the end of this record. Let Mr. de Villiers appear before the Lieutenant Governor to acknowledge the debt and if he owes the sum stipulated seize his property to the amount of the debt and costs caused or to be caused. The record closes with a certified copy of the original note and costs, 5 pesos, 3 reales.

April 29.

**Thomas O'Keeffe vs.
Francisco Le Doux.**

No. 3659. 3 pp.

Court of Governor Galvez.

No Assessor.

Escribano, J. B. Garic.

To collect a debt.

Plaintiff seeks to collect a debt on two notes from the defendant, a resident of Natchitoches, one for 516 pesos, 4 reales, the other 580 pesos, 4 reales, to be paid in money, or indigo at current prices and asks to have them verified. Considering the well known absence of Nicolas La Mothe, the cessionary of the said notes he asks that the escribano make a comparison of signatures of those on the notes with those in his Archives and certify as to the identity and done, so as to have effect, issue a despatch in due form to the Lieutenant Commander of the Post of Natchitoches so that he may take Le Doux's declaration and if the result conforms order the debt and costs satisfied by seizure of the defendant's property. Petition granted and the escribano certifies, after a comparison of signatures, that those of Mr. Lamothe's on the notes are identical with those of his on file in his office. Galvez orders the necessary despatch issued to the Lieutenant Governor of Natchitoches, together with the originals, keeping a certified copy of them to be attached to these proceedings so that he may take the necessary proceedings to collect the debt with costs. The certified copies of the two notes ends the record.

May 5.

**Leonardo Mazange vs.
Francisco Caminada.**

No. 3655. 7 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, J. B. Garic.

To collect a debt.

Leonardo Mazange sets forth that as it appears from the notes, documents and sentences obtained in the Tribunal of La Rochelle, Don Francisco Caminada owes him 3330 pesos, which he has been unable to collect, therefore he asks for a writ of execution against all or any of his property, especially against

the sum of 1000 pesos that Mr. Conard owes him, since Mr. Caminada has a mortgage on Mr. Conard's house to the amount of the sum that the former owes him. He asks that the annotator of mortgages cancel this mortgage so that Mr. Conard may sell, alienate, or do with this house what he wishes.

Alcalde Dufossat rules to notify Francisco Caminada that he must pay Leonardo Mazange within five days and if he does not do so, notify Santiago Conard to retain in his hands by way of embargo what he owes Caminada.

Juan Baptiste Macarty then files a certified copy of an act of conveyance, dated December 23, 1777, by which Francisco Caminada transfers to Juan Baptiste Macarty the rights that he has so as to receive from Francisco Connard 1000 pesos of eight reales that he owes him, all to be paid in December of the coming year, 1778, for the price of a house and three lots of ground situated on St. Ann street opposite the square (Plaza) that was sold by written document executed before the present escribano July 4, of the present year (1777), and states that as it will appear from this transfer, the 1000 pesos that Santiago Francisco Connard owed Francisco Caminada is now due him and to secure his payment as Connard leaves shortly for Illinois, he asks for a provisional seizure of the 1000 pesos that are in Connard's possession so that they may be paid to him at the date that the debt becomes due. Dufossat rules: Let a record of this document and the petition be filed with the suit brought by Leonardo Mazange against Francisco Caminada and let the former be notified of it. This is followed by an entry signed by both Mazange and Caminada that in virtue of this transaction this proceeding is concluded and that all accounts and documents against Caminada have been returned to him.

May 6.

The Guenon heirs bring action for the partition of their father's and mother's estates.

No. 3647. 7 pp.

Court of Governor Galvez.

No Assessor.

Escribano, Juan B. Garic.

a division made of the proceeds. Galvez orders the appraisal made ruling that the interested parties must name their appraisers. Upon notification they name Francisco Braquier. He is notified, qualifies and proceeds to put a valuation on the two houses, one at 1000 pesos the other at 400. The sale of the first house is held on June 15, 1778, in the presence of Governor Galvez and the Guenon family and Manuel Joseph Ramos. The cries were made by Nicolas Jurdain. A bid of 1400 hard pesos to be paid within the year was offered by Estevan Barre for the house on Royal Street, situated between the one owned by Santiago Haris and Roseta a free mulattress, as no other bid was made it was adjudicated to him. The second house on Dauphine Street between Mr. Boisblanc's and Laurenzo Wiltz's was offered and a bid of 300 pesos was made by Manuel Andres de Armesto, as no other bid was offered the house was adjudicated to him. The record ends with a marginal note signed by Garic to the effect that for the first house sold to Estevan Barre, no bid was offered, and later two, after the proceedings had been completed, this was not set down so as to avoid costs and in testimony whereof he puts this down as a matter of record.

May 13.

Vincente Rillieux vs. his mother, Margarita Chenet, to force her to give an account of his legitimate paternal estate.

No. 3660. 15 pp.

Court of Governor Galvez.

No Assessor.

Escribano, Juan B. Garic.

The Governor issues a prohibition to an Alcalde to prevent him from hearing a cause instituted in the latter court on the ground the Court of the Governor has taken previous cognizance of the issue.

Pedro, Santiago and Maria Guénon and Manuel Ramos, husband of Catarina Guénon set forth that by the death of their parents two houses have been left to them, one on Royal street, the other on Dauphine, which they would like to sell. They petition to have them appraised, cried and sold at public auction and

The plaintiff alleges he has not received his share of his father's property, now in the possession of his mother, Margarita Chenet, and asks an inventory and just valuation be made so that his share may be made evident. He requests the present escribano certify whether an inventory was made of his father's estate, and Garic certifies after a thorough examination of all papers in his charge he finds no inventory of the estate of Mr. Rillieux and it is evident none was ever made.

Galvez thereupon rules, since no inventory has been made

of the Rillieux estate, proceed to make one and let the parties be notified so that appraisers may be appointed. Margarita Chenet, Widow Rillieux is living on her plantation at the German Coast. She executes a full procuration appointing Leonardo Mazange to represent her interests in this suit, and Mazange presents his client's petition naming Juan Baptiste Poeyfarre appraiser. Louis Le Sassier is appointed in behalf of Vincente Rillieux who petitions saying that the greater part of the estate is at the German Coast and that the inventory should be taken by Francisco Seimars de Bellile in the presence of the escribano and the interested parties and a day be appointed therefor. Galvez names "next Monday, the twenty-fifth of the current month" (May 25, 1778), and orders the inventory to be entrusted to Captain Francisco Seimars de Bellile to be made in the presence of the escribano and the interested parties. They must be notified either to go there themselves, or be represented by procuration.

On May 22, before the inventory is begun, Vincente Rillieux presents the original of a written demand made upon him signed Dufossat wherein: "Vincent Rieux is ordered to pay, without delay, 396 piastres, 5 escalins, that he owes to his mother legitimately, in conformity to a relinquishment they have made of their reciprocal accounts. He must be forbidden to leave the city until this affair is settled. In default of which they will proceed against his movable and immovable property to the extent of the said sum." Plaintiff alleges that notwithstanding the judicial cognizance of this cause by Your Lordship, he has just this instant received the above order from Alcalde Ordinario, Guido Dufossat, by which he is commanded to pay 359 pesos, 5 reales, without delay, with a threat of seizure. He further alleges that these pretensions of his mother can not be decided until the conclusion of these proceedings. He prays that a despatch be issued in due form to the Alcalde so that he will cease all cognizance of the same as it concerns Your Lordship, solely, as it was entered in your Court, first, and that all proceedings executed upon this subject be remitted to this Tribunal. Galvez rules: Considering the order mentioned, issue a despatch with a copy of this petition and decree to Alcalde Dufossat so that he may be informed of what is represented, and let him desist from the cognizance of this cause. The escribano certifies that he delivered the despatch in person to Alcalde Dufossat. The record discloses no further proceedings.

May 21.

**Succession of Antonio
Jaillot Demuy or Demouy.
Inventory and appraise-
ment of his estate.**

No. 3640. 17 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, Juan B. Garic.

Alcalde Dufossat gives notice of the death of Antonio Jaillot Demouy in Mrs. Boisclair's house and says the escribano has advised him the deceased left a will in which various legacies were made and principally that he has left the one-fifth of his property to some minor children of Maria Josepha. The case follows the

ordinary routine. First the certification of the death by the escribano, then the collection of the keys which were delivered to Garic by Francisco Monplaisir Beaulieu, who signs himself Chauvin Monplaisir. There is no search for the will, nor is a copy of one ever filed. Dufossat rules: Let the escribano return the keys to Mr. Monplaisir as testamentary executor and guardian of the property left by the deceased and as one-fifth of it is left to Maria Josepha's minor children, let Leonardo Mazange be appointed their curator ad lites, let him be notified to accept, take oath and give bond and done let the records of the case be sent to him so that he may promote what corresponds to his representation.

Mr. Monplaisir receipts for the keys, Leonardo Mazange accepts and qualifies, giving Francisco Liotau as his surety, who fulfills all legal requirements. Dufossat then confirms Leonardo Mazange's appointment to the curatorship of the minor children of Maria Josepha, a free negress. In this capacity he presents a petition asking for an inventory and valuation of all property left by the deceased, naming Francisco Lioteau as appraiser.

Dufossat orders the inventory and appraisement, accepting Luis Lioteau, as appraiser, who must accept and qualify, the other parties must do likewise within one day, with a warning that one will be named officially. Francisco Monplaisir Beaulieu as heir to the deceased Antonio Jaillot, or Jaillot (Dumouy) his brother names Joseph Adrien de la Place as his appraiser. This appointment is approved by the Court. Mr. de la Place accepts and qualifies. The interested parties proceed to the making of the inventories at Mr. Monplaisir's house where the deceased made his home. The estate consists of his bed room furniture, personal effects, a note signed in his favor by Monplaisir and several slaves.

Leonardo Mazange asks to have the inventory and valuation approved and the interested parties ordered to abide by it. He adds that because of the war it is difficult to find buyers and in consequence the value of the property would be lowered, besides this estate is very small. In order to avoid the costs a judicial sale would occasion he asks that effects

at the price of their valuation to the amount of the one fifth of the whole be turned over to him for his minors and that he will give a receipt for it in due form, which will be much more advantageous to all parties. This petition is ordered sent to the others.

Mr. Monplaisir then renders an account and sworn statement of the estate that was entrusted to his care. This amounts to 2372 pesos, 1½ reales, the one-fifth of this sum is equal to 474 pesos, 3½ reales, which by the testator's will is to go to Maria Josepha's minor children. This account and sworn statement is ordered sent to Leonardo Mazange, their curator, who answers saying that he finds that it is correct and in conformity to law and that there is nothing for him to contradict or prove to the contrary. In order to avoid costs he prays that the parties be condemned to abide by it and that it be approved and confirmed and that the minors' share be turned over to him.

Dufossat rules: With the consent of the parties he approves the inventory and appraisal of the estate and also the account and sworn statement and in consequence condemns all to abide by them and that the one-fifth of the estate be turned over to Maria Josepha's minor children. Let this sum be put out at interest in conformity to law under mortgages on real property for the security of this sum to which effect the curator must promote what corresponds and let a taxation of costs be made by the present escribano which the estate will pay.

Leonardo Mazange, as curator, petitions that the amount due his minors be left with Francisco Monplaisir Beaulieu, testamentary executor, heir and brother of the testator on condition that he pay the minors five per cent interest as pupillary money, (*dinero pupilario*) he must mortgage real property for the security of this amount which he must always be ready to deliver on demand and at any time requested. To this effect let the escribano draw up the corresponding written document and let it be annotated at the end of these proceedings.

Dufossat rules "as it is prayed" and the escribano notes that in the copy book of public acts in his charge, Don Francisco Chauvin Beaulieu Monplaisir, on the 19th of December, 1778, authorized in favor of Maria Josepha's children an obligation for 474 pesos, 3½ reales, as was ordered in the foregoing petition and in testimony whereof he sets this down as a matter of record. This ends the proceedings.

June 12.

Proceedings put into execution at the death of Francisco Demouy. Inventory and appraisal of his estate.

No. 3642. 10 pp.

Neither Judge, Assessor, nor escribano is mentioned, but the document is in Garic's writing.

Francisco Monplaisir Beaulieu declares that as testamentary executor and guardian of the property left by the death of his brother, Francisco Demouy, according to what appears by the disposition of his last will executed before the present escribano on the 30th of last September, in order to safeguard the existence of the property that belonged to the said Francisco

Demouy which was in his charge, in the presence of Don Joseph Duval Demouy, Dona Genoveva Demouy co-heirs, the others cited in the will being ill and absent and likewise in the presence of Adelayda, Honorato and Emilia, brother and sisters and legatees of the said deceased he makes the notation and inventory of all the said property together with an appraisal of it, with the consent of the heirs here present. They name as appraisers Joseph Adrien de la Place and Don Francisco Lioteau also here present. The estate consists of negroes, live stock, provisions, farm implements, tools and a plantation three leagues from the city, upper river, this side, measuring 6 arpents front by a depth to Lake Corruna, or Conuna or Courona, with a small house in good condition with a ruined workshop and an old kitchen, a hen house, all in ruins, a part of the house in brick, three pairs of vats for indigo and a machine for water and one to cut indigo, the plantation and its equipments valued at 2000 pesos. The total estate amounting to 7617 pesos.

The inventory is followed by the partition of the estate by Francisco Monplaisir Beaulieu as testamentary executor of the estate left by Francisco Demouy, between himself as heir to Antonio Jaillot Demouy who was heir for a third part of Francisco Demouy's estate together with Genoveva Demouy and Joseph Duval heirs also for one-third each of Francisco Demouy's estate. After all debts and claims are settled, the recapitulation reads:

Full amount of all debts.....	3205	p.	7	r.
Joseph Duval	1470	p.	21½	r.
Genoveva Demouy	1470	p.	21½	r.
Antonio Jaillot	1470	p.	21½	r.

7617

Antonio Jaillot's share goes to Chauvin Monplaisir as his sole and universal heir. This partition was made in effects instead of money so as to save costs, and is signed by Genevieve Demouy, Joseph Duval Demouy, and Chauvin Monplaisir.

July 29.

**Santiago Chapron vs.
Francisco Mollere.**

No. 3635. 3 pp.

Court of Governor Galvez.

No Assessor.

Escribano, J. B. Garic.

To collect a debt,
payable in lumber.

Plaintiff claims from defendant, a resident of the Post of La Fourche, 260 pieces of wood 12 feet long of good quality promised to be given in exchange for a negro. The lumber was to have been delivered to him in the month of January last, as will appear from the original note presented. He asks to have the

obligation verified and paid by Mollere at La Fourche. In place of the lumber which will no longer be of service to him he asks for 230 pesos and that he return his negro and indemnify him for the time he has had the use of him, making the debt 545 pesos which will cover losses and costs. Galvez orders a despatch issued and sent to Luis Dutisne, Commander of the Post authorizing him to summon Mollere and if the result conforms to the petition make the collection after the claim has been adjusted by two experts named by the Commander and send the original note to the Post, keeping a certified copy of it to be filed with the record. This copy ends the suit.

August 20.

**Francisco Mollere vs.
Juan Villeneuve.**

No. 3654. 12 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, J. B. Garic.

To collect a debt. The parties are ordered to come to an amicable agreement and this being done the suit is discontinued.

Francisco Mollere from the Post of Chetimaches claims a debt of 126 pesos for 84 pieces of wood that he has sold to the defendant and for which he has not been paid. He asks that Villeneuve's son verify the signature he made for his father at the end of the contract and that the latter acknowledge the debt and as these two gentlemen live on their plantation he prays for a writ of

summons. Petition granted.

In due course of time Mr. Villeneuve verifies the signature that he made for his father, but he does not think anything is due Mr. Mollere on this account because it has been paid. Mr. Villeneuve Sr., acknowledges the debt but says he has already paid 35 pesos on account with a piece of rope and a gun. After this acknowledgment of the obligation the plaintiff asks for a writ of execution. Dufossat orders the defendant to come to an agreement within three days. The debt remains unpaid so Mollere reiterates his plea for a writ of execution, but later the defendant settles his obligation and in a joint petition the two litigants ask to have the case dismissed and the receipt returned to Mr. Villeneuve. Petition granted.

August 23.

**Intestate Succession of
Anna Alexandre Chenette,
Inventory and valuation
of her estate.**

No. 3637. 110 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, J. B. Garic.

This proceeding is begun in the usual way with the official notice of the death of Anna Chenette, (Chenet) widow of the deceased Juan Carmouche called Laureins who has left children absent from the Colony and minor grandchildren. This is followed by the certification to the death signed by Garic and

the collection of the keys from Luisa Carmouche, widow Dubord, a daughter of the deceased. A search is made for the will but both escribanos testify no will has been filed. Dufossat then ordered the keys delivered to Salomon Mallines whom he names guardian of the estate since the deceased has left minor grandchildren heirs of her late son, Claudio Carmouche. Some of Anna Alexandre Chenet's children are absent from the Colony. The Alcalde names as curator ad lites for these minors, their brother, Juan Baptiste Carmouche, and as defender for the absent heirs, Francisco Broutin, both must be notified to accept and qualify. Salomon Mallines receipts for the keys and consents to act as guardian of the estate which is turned over to him.

Juan B. Carmouche accepts the office of curator qualifying and naming as his surety, Luis Le Sassier, Francisco Broutin does likewise as defender of the absent heirs appointing Luis Le Sassier, his surety who agrees to act as security for both, signing a separate bond for each one. The Court confirms the appointments. The interested parties then petition for an inventory and valuation of the estate, Juan B. Carmouche naming Miguel Fortier his appraiser and as the greater part of the estate is on Claudio Carmouche's plantation where the deceased made her home he asks to go there first to take the inventories. Petition granted and Fortier accepts and qualifies. Francisco Broutin names Martin Morro (Moreau) his appraiser.

These preliminaries over the interested parties leave the city for the plantation to begin taking the inventory on September 1, 1778, in the presence of Alcalde Dufossat, the escribano, Juan B. Carmouche, curator ad lites to his brothers, minor children of Claudio Carmouche, Francisco Broutin, defender of the minor children of Anna Chenet, Widow Carmouche, Luisa, Widow of Joseph Dubord, Baptiste Carmouche and Pedro Daspit Saint Amand (t) as husband of Mariana Carmouche, deceased, representing his children. Miguel Fortier, and Martin Moro appraisers. The foregoing all embarked in a pirogue at nine o'clock in the morning which they found in front of the city that Salomon Mallines, guardian of the estate had placed at their disposition to take them to

Claudio Carmouche's place. They were rowed up the river by two negroes and arrived at their destination situated on the other side of the Mississippi four leagues above the city. They landed to make preparations to begin their work the next morning because it was now very late in the afternoon.

The estate consists of house furnishings, table silver, jewelry, cloth materials, wearing apparel, tools, implements, slaves, livestock. The inventory is signed by Dufossat, Fortier, Moro, Garic, Michel St. Amant, for his father, A. J. Piqueri for his wife, Rosalie Daspit St. Amant, Salomon Mallines, Francisco Broutin. When the inventory was finished all those participating in it re-embarked in the pirogue and with the same two negro rowers left the plantation at nine o'clock in the morning and reached the city at five o'clock in the afternoon.

They then proceeded to make an inventory of Anna Alexandre Chenet's property in the city which was done in the presence of the parties who took the inventory in the country. The estate here consists of household effects, papers, inventory of her late husband's estate dated November 13, 1753, their marriage contract dated February 6, 1726, the partition of the Carmouche estate dated June 9, 1764, certified copy of the sale of Juan Carmouche's estate dated March 19, 1764, Renunciation by private document of Luis Chancellor and his wife Theresa Carmouche dated December 2, 1744, by which they forego all claims on the Carmouche inheritance. Pedro Carmouche's receipt in favor of Anna Chenet for various effects, a certified copy of an act of sale of a house belonging to Juan Carmouche situated corner of Conti and Chartres. Mr. Moro's note for 50 hard pesos in favor of Anna Chenet, a house and lot on Bourbon Street between Santiago Formelier or Fonselier and Mrs. Boisclair, silver table furnishings and silver ware which must be appraised by Pedro Coudrain, silversmith. All property inventoried both on the plantation and in the city is left in charge of Salomon Mallines, guardian of the estate, at the disposition of the Court.

The interested parties then ask that the inventory and appraisement be approved by the Court and all ordered to abide by it. Dufossat rules that with the consent of all parties he approves the inventory and appraisement made and condemns all to abide by it and that the records of the case be sent to the minors' curator so that he may promote what belongs to his representation.

Juan B. Carmouche, curator for his minor brothers, Francisco Broutin defender of the absent heirs, Pedro St. Amant represented by his son, Daspit St. Amant, Juan Carmouche, called Loreins and Luisa Carmouche, Widow Dubord, heirs of Anna Alexandre Chenet, each in a separate petition ask for the sale of the estate at public auction and that public calls

be made to that effect. Petition granted and the three calls are made September 22, October 1 and 9, by Juan Bessiere, public crier.

The auction is held October 12 when each item is offered for sale. A new feature enters into the sale of the livestock, as each article is adjudicated the purchaser signs his name on the record. These purchasers are Pedro Saint Amant, Nicolas Piqueri, Andres Reynaud, Martin Moro, Andre Dupre, Dubourg, Joseph Fossier, Antonio Piqueri, Joseph Delhommer and a free negro Joseph, who does not sign. The other effects are sold in the usual way until the slaves are offered, then again, as in the sale of the stock each purchaser signs for his purchase. These are Juan B. Wiltz, Dominique Saint Amant, Antoine St. Amant, Alexandre Harang, Robert Avart, Francisco Birot. The sale of the slaves is followed by the offer of the house and lot on Bourbon Street which was adjudicated to Francisco Monplaisir for 550 pesos to be paid within the year with Juan Suriray de la Rue as his surety. Signed Dufossat, Francisco Broutin, Francisco Monplaisir, Solomon Mallines, Daspit Saint Amant for his father, Suriray de la Rue and Juan B. Garic.

Luisa Carmouche, Widow of Joseph Dubord presents the act of partition of her father's estate and claims that 208 pesos, 5 reales is due her from this inheritance and 145 pesos, 5 reales for interest for the fourteen years that she has been deprived of her money. She prays to be paid this 354 pesos, 2 reales by the guardian of the estate.

The exhibit, dated June 9, 1764, gives the names of Anna Chenet's children as: Marianne, (wife of Pierre Daspit St. Amant), Claude, Marie Louise (wife of Joseph Dubord), Pierre, Baptiste and Joseph Carmouche. The estate amounts to 16113 livres to be divided among the widow and heirs, the former to receive 8056 livres, 10 sols, and a like amount to be divided among the six children after certain deductions are made for funeral expenses and other debts which makes the actual sum for division 7099 livres, 10 sols, giving each child 1183 livres, 5 sols.

Broutin then asks that Salomon Mallines, guardian of the estate give an account and sworn statement of his administration of Anna Chenet's property. Dufossat orders this done within nine days. After some delay this accounting is given, 8 vouchers are presented and as assets there are 9 entries, the reading shows:

Recapitulation

Assets	6578 pesos	4 reales
Charges and deductions	122 pesos	3½ reales

This accounting is contested by Broutin who places the full amount of the estate as:

Recapitulation

Assets	6578 pesos	4 reales
Charges and deductions	162 pesos	3½ reales
Remainder	6416 pesos	0½ reales

The case now passes to Alcalde Pierre de Verges' Court and Salomon Mallines presents a bill and says he has been ordered to pay Vincente Reillieux this bill of 6 pesos, 3 reales, which he would like to have adjusted in his account and sworn statement. He also presents a certified copy of a receipt showing that Francisco and Antonio Paturel had received from Salomon Mallines, as Anna Chenet's testamentary executor 320 pesos, the remainder of a debt that the deceased owed on the house. By this act he gives a receipt in full dated January 5, 1779. This he also asks to have adjusted in his account and sworn statement. Pedro Daspit St. Amant and Luisa Carmouche, Widow Dubord each in a separate petition expresses himself and herself as satisfied with Salomon Mallines account and sworn statement and ask for a partition.

Alcalde Pierre de Verges rules: With the consent of the parties he approves Salomon Mallines' account and sworn statement and in consequence condemns all to abide by it and he orders that the records of the case be sent to the present escribano so that he may draw up the formula for partition deducting what is due by the deceased to Luisa Carmouche from her paternal inheritance as appears from the exhibit and petition presented on page 72 with interest at 5%, likewise deducting the costs of this case which must be taxed by the present escribano. Garic taxes these costs at 337 pesos, 5 reales. The partition is dated February 18, 1779, giving to each of the six heirs 841 pesos, 7 reales, 23 maravedis, and in the case of Claudio and Mariana Carmouche this amount must be divided among their children. The last entry is a note certifying that Pedro Daspit, curator ad bono for Claudio Carmouche's minor children signed a receipt for their shares on September 7, 1781.

October 13.

**Manuel de los Rios
Bustamente vs. Juan
Josset Dorquigny.**

No. 3632. 67 pp.
Court of Governor Galvez.
No Assessor.
Escribano, Juan B. Garic.

Plaintiff, resident of Havana, claims a debt of 650 pesos on a note and asks to have it verified and as the defendant is detained in the public prison he also asks that he be ordered to qualify in conformity to law so that his declaration may be of value in Court.

To collect a debt. The debtor is in prison under an ecclesiastical decree. The suit involves the defendant's father-in-law, and it is evident that his imprisonment is the result of his domestic infelicity.

Galvez rules that the note having been presented let the defendant swear and declare to its contents as prayed and in order to have effect that a request through this decree be served by a polite message in due form on the Reverend Father Cirillo de Barcelona, Ecclesiastical Judge by whom Juan Josset Dorquigny is detained so as to facilitate the proceedings as it is prayed. Father Cyrillo de Barcelona rules: "Let it be complied with as it is prayed."

Juan Josset Dorquigny whose declaration is taken in prison by the escribano, Garic, states that the signature at the end of the note is his. On the strength of this declaration the plaintiff asks for a writ of execution against all of the defendant's property and particularly against the negress, Naneta, native of Congo and his ordinary property that his father-in-law has belonging to him up to the extent of the debt its one-tenth and costs. The writ is ordered issued and is served by Nicolas Fromentin, deputy sheriff, who reports that he went to prison and demanded that Dorquigny pay his debt, who answered that all his property was in the hands of his father-in-law, Antonio Marmillon and that he could not pay. He then went to Mr. Marmillon's house who delivered to him the negress, Naneta, only. He seized her and placed her with the General Receiver, Joseph Ducros, who signed this report.

This is followed by a declaration signed Josset Dorquigny to the effect that for lack of money, on account of his detention in prison his negress, who is at his father-in-law's house, will be seized. Besides his slave he has two chests of sugar, two clocks, one gold pocket watch with its dial set in diamonds, one wardrobe with all his effects with various jewels and the rest of his things amounting to more than 400 pesos, that Mr. Marmillon declares under oath that he has belonging to him in his possession. Here filed is an itemized statement signed by the defendant of the property that was carried from his house after his departure for Havana and deposited at his father-in-law's house.

The plaintiff then claims that the negress and other effects seized are not sufficient to cover the amount of Josset's indebtedness. He asks that he surrender to the deputy sheriff all the property mentioned in the foregoing statement. This petition is followed by a declaration signed by Marmillon that he has nothing in his possession belonging to Josset Dorquigny and that he owes him nothing except some notes and acknowledgments that he will promptly pay.

Manuel de los Rios Bustamente now presents an interrogatory of the questions which he wishes to have answered by

Joseph de Ariza, Francisco Xavier de Barre, Joseph Barbier, Juan Carrier, Antoine Cavelier and Francisco Caminada.

1. Q. Do they know Josset and what is his occupation?
A. All witnesses answer in the affirmative and say he is a surgeon.
2. Q. Did Captain Ronquillo not deliver to Mr. Marmillon two chests of sugar and a clock that Josset had entrusted to him to turn over to the latter?
A. The majority answer yes as Captain Ronquillo had told them so.
3. Q. Did they see these boxes or chests taken to Mr. Marmillon's house?
A. No.
4. Q. Did they see a box of confections delivered?
A. No.
5. Q. Did Marmillon collect one hundred pesos from Caminada belonging to Josset?
A. Caminada says he paid his note. The other witnesses say they know nothing of the matter.
6. Q. Let Nicolas Lauve declare if it is not true that he has seen many effects in Josset's house and afterwards he he has seen them taken to Mr. Marmillon's. What were these effects?
A. The witnesses all say they know nothing about this matter.
7. Q. Let Mrs. Reboul declare if it is not true that she has sold for cash to Josset six silver covers?
A. All the witnesses say they know nothing about the transaction except Carriere who says yes, Josset bought the silverware from Mrs. Reboul and when he went to Havana these were sent with the other movables to Mr. Marmillon's house.
8. Q. Do they know if Mr. Cappel (Campbell) has given in payment to Mr. Josset, Naneta for professional services to Mr. Campbell's other negroes?
A. Joseph Barbier says that Josset before he left bought Naneta from Campbell and Juan Carriere says he acquired her for medical services rendered to the others. The rest of the witnesses say they know nothing of the transaction.
9. Q. Does Campbell not owe a balance of 80 pesos?
A. All answer they know nothing about the debt except Barbier who says Campbell still owes 80 pesos.
10. Q. Let them say and declare all they know about this affair?
A. The witnesses all say they know nothing.

Bustamente reiterates his plea to have Marmillon deliver to him all the articles mentioned in the itemized statement and that the General Receiver turn Naneta over to him and that her value be deducted from the amount of the debt. Galvez rules: Notify Antonio Marmillon that within three days he must prove what is made evident by the foregoing testimony given by witnesses and that he must also answer the plaintiff's last petition. Marmillon obeys by asking that the records of the case be turned over to him so that he may comply with the last decree. These records are ordered sent to him for two days in the ordinary way.

Margarita Marmillon (Josset Dorquigny's wife) sets forth that at Bustamente's request the deputy sheriff has seized a negress, Naneta, belonging to her as she can prove, to satisfy Josset's debt, and has placed her with the General Receiver. She asks the return of her slave and to avoid costs she will hold her at the disposition of the Court until this suit is finished. This petition is ordered sent to the plaintiff who answers saying he has nothing to do with Margarita Marmillon, neither does he have to answer her claim. In the first place she has no permit from her husband to present herself in Court, and secondly the negress does not belong to her as she says. According to the records her husband acquired the slave after his marriage. He asks that she be excluded from the suit and condemned to pay costs. Galvez orders the negress sold and the proceeds held by the General Receiver until this suit is concluded. Let the interested parties be notified to name their appraisers to put a value on Naneta. Bustamente names Luis Le Sassier, who accepts and qualifies estimating Naneta at 300 pesos. The plaintiff adds that Marmillon has in his possession two clocks, a watch and other effects he asks that these also be turned over to the General Receiver to be appraised and sold.

Governor Galvez is now absent from the city and Colonel Manuel Gonzales acts in his place. Marmillon then presents an account and sworn statement of Jean Josset Dorquigny's property that had been left with him. It reads:

Recapitulation

Assets	319
Charges and deductions.....	740
	<hr/>
Balance due	421

Antonio Marmillon contests his son-in-law's statement of the articles delivered into his keeping, saying that they were things that he had given his daughter at the time of her marriage and that Dorquigny had nothing then and that he had lent him a mattress and paid his house rent and for his food

before he was married. He takes up each item of Josset's statement and proves that all articles mentioned had never belonged to him and that even the things that he was using in the prison had been lent by Marmillon and that when he went to Havana his wife went back to her father who fed her and supplied her with necessities. Josset gave the watch to his wife, he does not know if she still has it. Many items mentioned do not exist. As for the notes, the one signed by Gasparido Pictet, he turned over to the escribano to collect and it has been returned to him as a forgery. The signature is not Pictet's and he does not owe the amount stipulated. Caminada's note he collected and entered the 100 pesos in his statement, together with the sale of the sugar. After disposing of all items mentioned, he says he has no knowledge of the others and it is impossible to make him pay for things that he has never received, nor is it enough to say so and so owes me so much, I have left so much money, so many valuables, so many notes, obligation and accounts, and that I have sent so many effects, etc. It is necessary to prove what is stated by a receipt signed by the party with whom the effects have been left. As proof that Josset had nothing when he married, it was not necessary to draw up a marriage contract before a notary before the ceremony was performed. As to Naneta he proved at the time she was seized that she was acquired during his daughter's married life and that she had not been bought from Campbell. He asks that all parties be ordered to abide by his account and sworn statement and that Bustamente's claim be excluded and he, the plaintiff, be condemned to pay costs.

This petition is sent to Bustamente who calls attention to the fact that Marmillon has never obeyed the previous ruling, that within three days he must prove what was made evident by the testimony given by witnesses, instead he presents his daughter without authority, and to the decree that Naneta be sold and that appraisers be appointed to put a value on her, he presents his account and sworn statement without proofs or vouchers. This account is erroneous in all it contains. He asks that the previous decree be carried out and that Marmillon turn over to the General Receiver the clock and the watch that he acknowledges that he has and also the other effects that Dorquigny mentions in his declaration so that they may be appraised and sold.

Gonzales rules: Notify Antonio Marmillon to deliver to the Depositary General the 239 pesos, two clocks, the gold watch that he has in his possession belonging to Dorquigny and in case he does not comply seize all his property to this amount and deliver the records to Bustamente to promote what is convenient to his interests. Marmillon delivers the money and articles mentioned to Joseph Ducros who signs a receipt for them.

Bustamente then asks that Mr. Walkir (Walker?) be ordered to appraise the clocks and watch and that the slaves and the rest of the effects seized be cried for judicial sale. Gonzales orders the negress and effects sold and that Mr. Walkir be appointed appraiser to put a value on the other things. The first and second calls are made on the 25th and 28th of November, then Marmillon petitions to name Nicolas Verbert appraiser to estimate the watch and clocks. Verbert accepts and qualifies valuing one clock at 45 pesos, and the other at 40. The third public call for the sale is given on December 2nd.

Marmillon now presents the justification or proofs that he was ordered to give in a previous ruling, which is a new accounting. After presenting 9 vouchers he takes them up one at a time to prove the correctness of his account and sworn statement. He says these receipts prove that he is a privileged creditor and offers to show that these amounts have been paid by the receipts' judicial declarations. If he has not done so before it is because he has not had time, besides the law allows him 80 days for his proofs. It is not just to pay Bustamente and give him recourse against Josset who is a man living outside of the Colony and insolvent. He asks to be declared a privileged creditor and that Bustamente's claim be excluded and that he be condemned to pay all costs caused or to be caused and since Bustamente has no property in the Colony and is the plaintiff in this suit and that Josset is insolvent he asks that Bustamente be ordered to give bond for the costs of this suit until definitive sentence is passed. Gonzales orders this petition sent to the other party.

Bustamente refutes this argument in a long petition of his own. Gonzales passes final judgment on December 3, 1778, which is to the effect that Bustamente has proven his exceptions against Antonio Marmillon, guardian of a certain amount of property belonging to Josset Dorquigny and therefore he orders the produce from the sale of the property seized and the money deposited with the General Receiver paid to Manuel de los Rios Bustamente, Josset's creditor and that Antonio Marmillon must proceed against Josset in conformity to law. Costs must be paid from the proceeds from Josset's seized property and that costs be taxed by Andres Manuel Lopez de Armesto. Let the General Receiver be notified to deliver the proceeds.

Antonio Marmillon petitions for the auction sale of the seized property as the public calls have already been made. The clocks and Naneta are offered to the bidders. The big pendulum clock was adjudicated to Andres Bernardo at 60 pesos cash, the small clock to Francisco Liotau at 40 pesos cash, The negress to Mr. Churiac at 355 pesos. A marginal note to the sale states that on December 10, 1778, Manuel de

los Rios Bustamente gave a receipt as he was ordered to do by the foregoing decree. Armesto taxes costs at 118 pesos, 1 real.

Note: From the time that Galvez turns the suit over to Manuel Gonzales, who is spoken of as Commander during the absence of the Governor, the case gets completely out of bounds and is handled in a most slip shod way, rulings and decrees are not obeyed and no one seems to know just what to do, or what is expected of him and in consequence the case drags and is most irregular.—
L. L. P.

October 14.

Patricio Morgan & Co.

vs. Andres Jung.

No. 3656. 2 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, Juan B. Garic.

To collect a debt.

The plaintiff claims a debt of 350 pesos which he has been unable to collect. He asks to have the note verified. The Alcalde orders the defendant to acknowledge his signature under oath. The escribano reports that Andres Jung refuses to comply with the foregoing decree. Morgan then sets forth that his opponent

maliciously refuses to acknowledge his note, he prays that he be ordered to do so without delay. Dufossat orders the defendant to obey immediately and if he does not do so, put two of his slaves in the public prison. This ends the suit.

October 19.

Francisco Blache vs.

**Santiago Loreins for
having induced a slave
to run away and to work
for him where the negro
acquired a disease.**

No. 3633. 8 pp.

Court of Alcalde Dufossat.

No Assessor.

Escribano, Juan B. Garic.

The plaintiff presents a medical certificate, signed by Drs. Montegut and Vincent, the latter a master surgeon, stating that they have visited Louis, a slave belonging to Mr. Blache and have found him with a bubo (inflammatory swelling in the groin or armpit) and a venereal canker such as characterizes syphilis.

He declared to us that he had acquired this illness, on going up to Pointe Coupee. On the strength of this certification Blache sets forth that Santiago Loreins with little fear of God has persuaded his negro, aged thirty-five years, a creole of this Colony, knowing the trade of a brick mason, a roofer and also that of gardener, to absent himself from his master's house and by whose labors his owner made a living for himself and his family. The negro was missing from the 8th of September and has just returned home with a serious illness which can not be cured as this medical certificate shows, which causes great prejudice to him. For all injury done to him he accuses

the defendant civilly and criminally and asks that he be ordered to indemnify him for his losses to the extent of 2 pesos a day for every day he was absent, or unable to work and also to pay the doctors' bill for his cure up to the time that he will be discharged as well. This petition is sent to the opposition.

After much delay, no answer having been received, Dufossat rules let arbitrators be named for the determination of this cause. Francisco Blache names Juan Poeyfarre as his arbitrator and Santiago Loreins called Tarascon names Carlos de la Chaise as his.

Then Blache petitions saying that he and his opponent have entered into an agreement, so as to avoid the costs of a law suit. They have both named arbitrators as they were ordered to do, but Messrs. Poeyfarre and de la Chaise have both excused themselves, but as the point treated is so clearly defined by law he asks that the decree to arbitrate be cancelled and the cause be judicially sentenced in conformity to law.

Dufossat rules that having heard both parties, having presented the orders published, so that no one can hire negro slaves without a permit from their masters, therefore he must condemn Tarascon to pay Blache 36 pesos for the time that he has held Luis in his possession together with the costs of the case. Francisco Blache signs a receipt for the 36 pesos which ends the case.

(To be continued)



